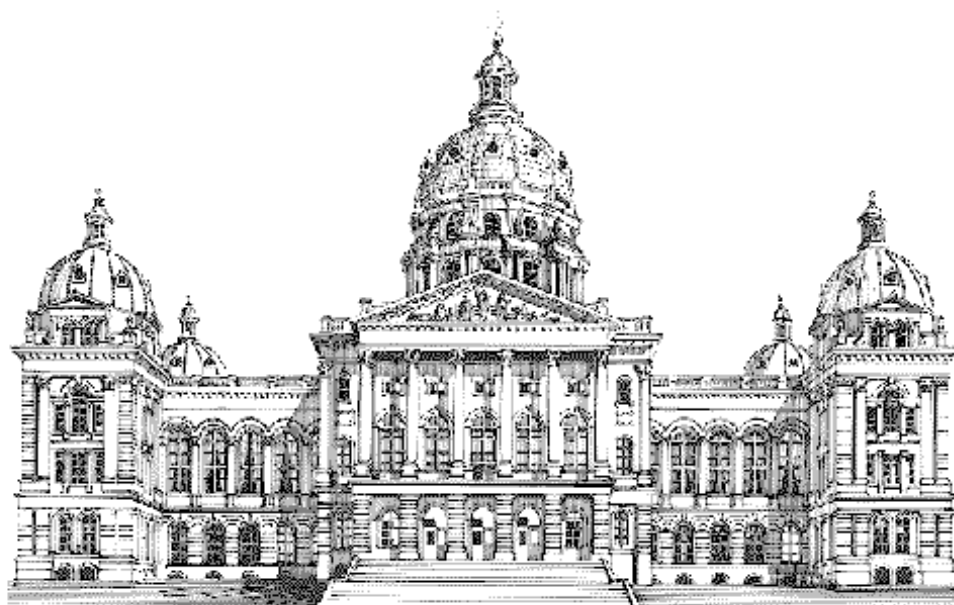


**JUSTICE SYSTEM
APPROPRIATIONS SUBCOMMITTEE
DETAILED ANALYSIS OF THE
FY 2009 GOVERNOR'S RECOMMENDATIONS**



**FISCAL SERVICES DIVISION
LEGISLATIVE SERVICES AGENCY
JANUARY 2008**

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82nd General Assembly**



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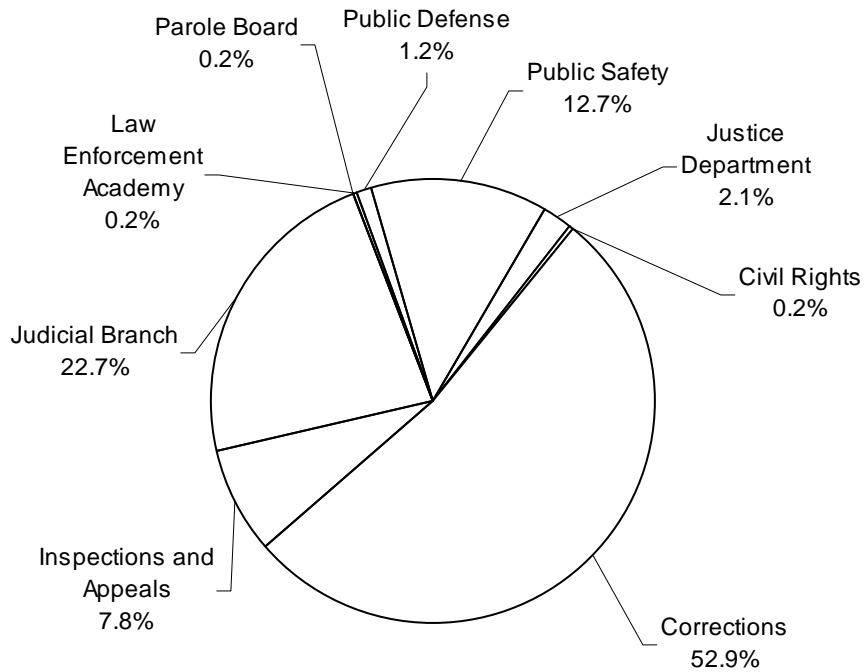
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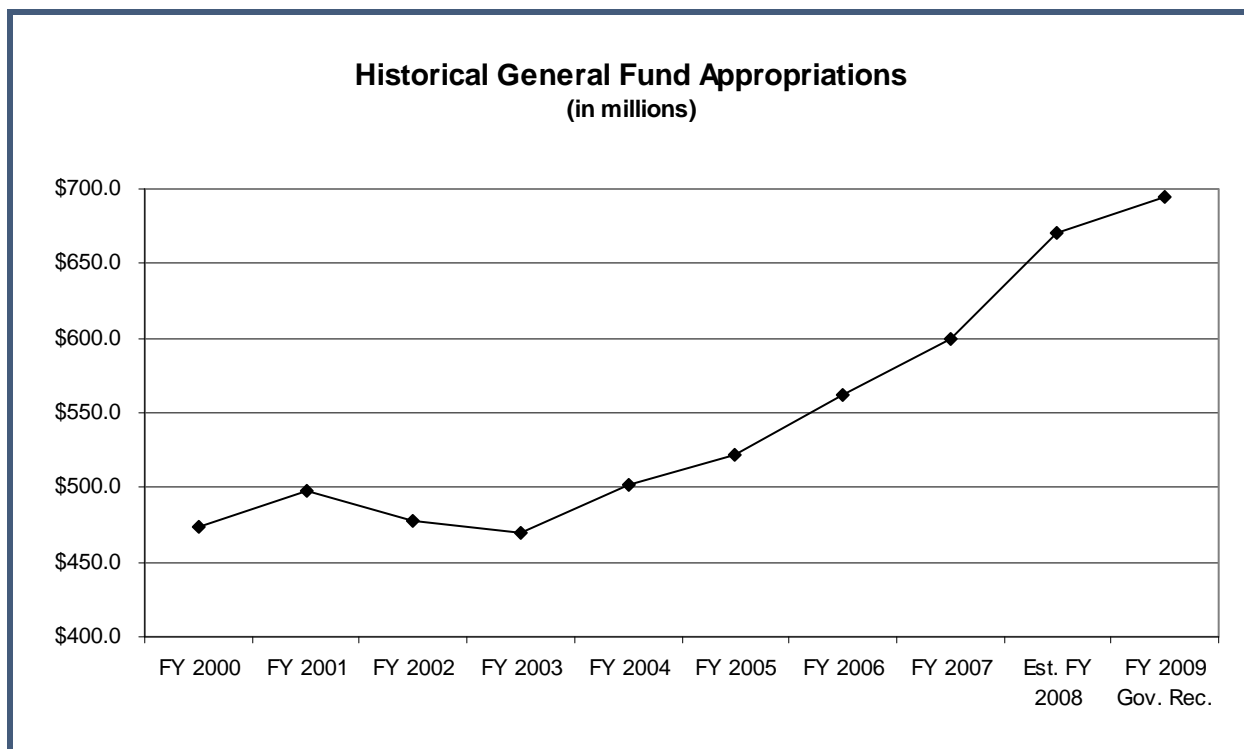
Representative
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JUSTICE SYSTEM APPROPRIATIONS SUBCOMMITTEE

FY 2009 General Fund Governor's Recommendations



Justice Department	\$ 14,989,604
Civil Rights	1,504,036
Corrections	367,511,223
Inspections and Appeals	53,031,834
Judicial Branch	157,885,796
Law Enforcement Academy	1,283,115
Parole Board	1,249,992
Public Defense	8,676,379
Public Safety	87,934,027
	<u>\$ 694,066,006</u>



FY 2009 GOVERNOR'S RECOMMENDATIONS

Department of Justice

The Attorney General is the head of the Department and is elected by popular vote every four years. The Department is composed of the Attorney General's Office, Prosecuting Attorney Training Coordinator, and the Consumer Advocate's Office. The Department represents the State in all litigation, issues formal and informal opinions and advice to State agencies, prosecutes some criminal offenders and handles all criminal appeals, and administers the following programs: Farm Mediation, Victim Services Grants, and Legal Services Poverty Grants.

The Governor is recommending FY 2009 General Fund appropriations totaling \$14,989,604 and 275.50 FTE positions. This is a decrease of \$113,012 and no change in FTE positions compared to estimated FY 2008.

General Fund Recommendations

	Estimated FY 2008	Gov Rec FY 2009	Gov Rec vs. FY 2008
<u>Justice, Department of</u>			
Justice, Department of			
General Office A.G.	\$ 9,485,145	\$ 9,437,720	\$ -47,425
Victim Assistance Grants	150,000	150,000	0
Legal Services Poverty Grants	2,000,000	2,000,000	0
Farm Mediation Services	300,000	300,000	0
Children in Dissolution Proceedings Pilot Project	50,000	0	-50,000
Total Justice, Department of	\$ 11,985,145	\$ 11,887,720	\$ -97,425
Consumer Advocate			
Consumer Advocate	\$ 3,117,471	\$ 3,101,884	\$ -15,587
Total Justice, Department of	\$ 15,102,616	\$ 14,989,604	\$ -113,012

Significant changes include:

- A decrease of \$47,425 in the Office of the Attorney General for a general budget reduction.
- A decrease of \$15,587 in the Office of the Consumer Advocate for a general budget reduction. The Office bills utility companies for costs associated with its operation. The utility companies' payments are deposited into the General Fund. Any decrease in the General Fund appropriation will cause the same decrease in General Fund receipts.
- A decrease of \$50,000 to eliminate funding for the Children in Dissolution Proceedings Pilot Project. This was a new appropriation in FY 2008.

Issues

Charities Unit – The Department is proposing legislation to impose fees on biennial reports filed by domestic non-profit organizations. The Department intends to use the fee revenue to fund a Charities Unit for \$215,000 and 2.0 FTE positions. The Subcommittee may want to review the number of complaints filed annually with the Attorney General's Office, regarding non-profit organizations.

Children in Dissolution Proceedings Pilot Project – The Subcommittee may want to review the number of children and families served by the Pilot Project, and any other measures used to determine success of the project during its first year. *The Governor is recommending that the \$50,000 for the Children in Dissolution Proceedings Pilot Project be eliminated.*

Victim Assistance Grants – The Crime Victim Assistance Division provides grants to service providers for victims of domestic abuse, rape, and sexual assaults. A State General Fund appropriation, combined with federal grants and the Victim Compensation Fund, are used for community crime victim service programs. This combination of funding results in approximately \$9.5 million being distributed to 27 domestic abuse programs, 27 sexual abuse programs, the Iowa Domestic Abuse Hotline, and the Sexual Abuse Hotline. Approximately \$3.7 million of the funds are from the Victims Of Crime Act (VOCA), which is expected to decrease by 10.0% to 15.0% due to federal budget reductions. The Justice System Appropriations Subcommittee first started appropriating General Fund money in FY 1990 for the grants. This funding peaked in FY 2001 at \$1.9 million; the FY 2007 General Fund appropriation is \$150,000. The

General Fund appropriation has been combined with federal funds and transfers from the Victim Compensation Fund, plus funding at the local level. However, seven shelters have closed in the last four years.

Other Funds –The Office of the Attorney General leverages other funds under its control to perform the functions of the Department of Justice. The Subcommittee may want to review balances of selected funds, such as Consumer Education, Elderly Victims Fraud, Anti Trust, Forfeited Property and Consumer Fraud Funds.

Civil Rights Commission

The Commission exists to protect the civil rights of all persons throughout Iowa. The Commission's primary function is to enforce the law through judicial review, investigate discrimination complaints as a neutral fact finder, advocate for compliance with civil rights laws, and educate Iowans to recognize and prevent discrimination.

The Governor is recommending an FY 2009 General Fund appropriation of \$1,504,036 and 29.00 FTE positions. This is no change compared to estimated FY 2008.

General Fund Recommendation

	Estimated FY 2008	Gov Rec FY 2009	Gov Rec vs. FY 2008
<u>Civil Rights Commission</u>			
Civil Rights Commission	\$ 1,504,036	\$ 1,504,036	\$ 0
Total Civil Rights Commission	\$ 1,504,036	\$ 1,504,036	\$ 0

Issues

Federal Funds – The Commission receives approximately 43.5% of its budget from the federal government. The Commission receives federal funds from the Equal Employment Opportunity Commission (EEOC) and the Department of Housing and Urban Development (HUD). Federal funding to the Commission is in the form of performance-based contracts. The amount of federal funding received in a given federal fiscal year is based on the number of civil rights complaints resolved during the previous federal fiscal year. The Commission closed 2,331 cases in FY 2006, resulting in increased federal funds for FY 2007. The increase in case closures was primarily due to instituting a major effort to close old cases. Case closures decreased by 25.4% in FY 2007. Also, EEOC funding has been reduced at the federal level. Therefore, federal funds may decrease by approximately \$100,000 in FY 2009.

Department of Corrections

The Department's mission is to protect the public, employees, and offenders from victimization. The Department operates nine prisons to incarcerate legally-committed adult offenders; partners with eight Community-Based Corrections (CBC) District Departments to provide supervision for offenders on parole, probation, work release, and Operating While Intoxicated (OWI) offenses; provides opportunities for offenders to make improvements through various educational, skill development, and counseling programs; trains professional staff; operates Iowa Prison Industries; and provides oversight of local jails.

The Governor is recommending FY 2009 General Fund appropriations totaling \$367,511,223 and 4,440.64 FTE positions. This is an increase of \$14,189,177 and 51.59 FTE positions compared to estimated FY 2008. The increase includes transferring \$4,006,474 in operational expenditures from the Healthy Iowans Tobacco Trust (HITT) Fund to the General Fund.

General Fund Recommendations

	Estimated FY 2008	Gov Rec FY 2009	Gov Rec vs. FY 2008
Corrections, Department of			
Community Based Corrections District 1			
CBC District I	\$ 12,706,033	\$ 13,965,618	\$ 1,259,585
Community Based Corrections District 2			
CBC District II	\$ 10,080,108	\$ 11,398,603	\$ 1,318,495
Community Based Corrections District 3			
CBC District III	\$ 5,903,401	\$ 6,114,983	\$ 211,582
Community Based Corrections District 4			
CBC District IV	\$ 5,419,406	\$ 5,726,971	\$ 307,565
Community Based Corrections District 5			
CBC District V	\$ 18,401,003	\$ 20,627,443	\$ 2,226,440
Community Based Corrections District 6			
CBC District VI	\$ 12,675,246	\$ 13,107,929	\$ 432,683
Community Based Corrections District 7			
CBC District VII	\$ 7,020,794	\$ 7,285,892	\$ 265,098
Community Based Corrections District 8			
CBC District VIII	\$ 6,998,544	\$ 7,482,936	\$ 484,392
Corrections-Central Office			
County Confinement	\$ 1,199,954	\$ 967,983	\$ -231,971
Federal Prisoners/ Contractual	241,293	241,293	0
Corrections Administration	5,050,732	5,050,732	0
Corrections Education	1,570,358	1,570,358	0
Iowa Corrections Offender Network	427,700	427,700	0
Hepatitis Treatment and Education	188,000	188,000	0
Transitional Housing - Comm. Based	30,000	30,000	0
Mental Health/Substance Abuse	25,000	25,000	0
Security Audits-GF	0	2,000,000	2,000,000
Total Corrections-Central Office	\$ 8,733,037	\$ 10,501,066	\$ 1,768,029
Corrections - Fort Madison			
Ft. Madison Institution	\$ 44,512,509	\$ 46,253,871	\$ 1,741,362
Corrections - Anamosa			
Anamosa Institution	\$ 30,656,614	\$ 31,178,054	\$ 521,440
Corrections - Oakdale			
Oakdale Institution	\$ 56,204,468	\$ 58,128,271	\$ 1,923,803
Corrections - Newton			
Newton Institution	\$ 27,841,158	\$ 27,978,941	\$ 137,783
Corrections - Mt Pleasant			
Mt. Pleasant Inst.	\$ 26,331,092	\$ 27,390,452	\$ 1,059,360
Corrections - Rockwell City			
Rockwell City Institution	\$ 9,108,454	\$ 9,262,685	\$ 154,231

	Estimated FY 2008	Gov Rec FY 2009	Gov Rec vs. FY 2008
<u>Corrections, Department of, cont.</u>			
Corrections - Clarinda			
Clarinda Institution	\$ 25,078,365	\$ 25,207,465	\$ 129,100
Corrections - Mitchellville			
Mitchellville Institution	\$ 15,878,663	\$ 15,935,768	\$ 57,105
Corrections - Fort Dodge			
Ft. Dodge Institution	\$ 29,773,151	\$ 29,964,275	\$ 191,124
Total Corrections, Department of	\$ 353,322,046	\$ 367,511,223	\$ 14,189,177

Significant changes include:

- An increase of \$3,534,813 for food, fuel, treatment contracts, and pharmacy cost increases.
- An increase of \$1,864,657 and 24.34 FTE positions to electronically monitor, supervise, and treat sex offenders. Funding includes expansion of the monitoring center in Des Moines (\$571,787 and 11.34 FTE positions), additional staffing at the Mount Pleasant Correctional Facility (five correctional officers), and supervision staff (eight Parole/Probation Officers). The funding does not include more Global Positioning System (GPS) bracelets.
- An increase of \$2,036,938 and 14.00 FTE positions to fund one-stop community-based re-entry and recovery programs in Polk and Black Hawk counties and a Therapeutic Community Program at the Fort Dodge Correctional Facility. Funding includes one-time costs of \$105,850 for program start-up.
- An increase of \$734,014 and 11.35 FTE positions to fund increased operational costs of the new Community-Based Corrections (CBC) residential facility in Fort Dodge. The new 60-bed facility replaces a 34-bed rented facility.
- An increase of \$444,252 to replace expired federal funds for a drug court (\$66,000) and dual diagnosis program (\$140,000) in the First CBC District Department and a Therapeutic Community Program (\$238,252) at the Anamosa State Penitentiary. The recommendation supports 6.00 FTE positions that currently exist.
- An increase of \$2,000,000 to fund security audits and improvements in the corrections system.
- An increase of \$4,006,474 to transfer operational expenditures from the HITT Fund to the General Fund.
- A decrease of \$231,971 to the County Confinement Account. The Account reimburses counties for holding alleged violators on parole, work release, and Operating While Intoxicated (OWI) supervision. The decrease is equal to the FY 2007 General Fund reversion.
- A decrease of \$200,000 to eliminate FY 2008 one-time costs associated with opening a new residential facility in Cedar Rapids.
- A transfer of \$58,030 and 1.00 FTE position for a correctional officer from the Fort Dodge Correctional Facility to the North Central Correctional Facility at Rockwell City. This recommendation is revenue neutral.

Other Fund Recommendations

	Estimated FY 2008	Gov Rec FY 2009	Gov Rec vs. FY 2008
<u>Corrections, Department of</u>			
Community Based Corrections District 1 CBC District I - HITT	\$ 228,216	\$ 0	\$ -228,216
Community Based Corrections District 2 CBC District II - HITT	\$ 406,217	\$ 0	\$ -406,217
Community Based Corrections District 3 CBC District III - HITT	\$ 200,359	\$ 0	\$ -200,359
Community Based Corrections District 4 CBC District IV - HITT	\$ 291,731	\$ 0	\$ -291,731
Community Based Corrections District 5 CBC District V - HITT	\$ 355,693	\$ 0	\$ -355,693
Community Based Corrections District 6 CBC District VI - HITT	\$ 494,741	\$ 0	\$ -494,741
Community Based Corrections District 7 CBC District VII - HITT	\$ 232,232	\$ 0	\$ -232,232
Community Based Corrections District 8 CBC District VIII - HITT	\$ 300,000	\$ 0	\$ -300,000
Corrections - Fort Madison Ft. Madison CCU - HITT	\$ 1,497,285	\$ 0	\$ -1,497,285
Total Corrections, Department of	\$ 4,006,474	\$ 0	\$ -4,006,474

The Governor is also recommending \$256.2 million for the Department of Corrections infrastructure needs. For more detail, see the State Prison System Planning Committee discussion at the end of this section and the Issues section of the Transportation and Infrastructure Appropriations Subcommittee section.

Issues

Healthy Iowans Tobacco Trust (HITT) Fund – The DOC receives \$4,006,474 from the HITT Fund. These appropriations are used to fund drug courts in the CBC District Departments, and to fund operating costs of the District Departments and the Clinical Care Unit at Fort Madison. Due to declining funding in the HITT Fund, the Subcommittee may wish to consider other funding sources for these programs. *The Governor is recommending the transfer of \$4,006,474 in operational expenditures from the HITT Fund to the General Fund in FY 2009.*

Inmate Education – The General Fund appropriation for inmate education peaked in FY 2001 at \$3,294,775. The FY 2008 General Fund appropriation is \$1,570,358, a decrease of \$1,724,417 (52.3%) compared to FY 2001. Since FY 2001, the DOC has relied on other funding sources, such as carryover funding from the previous year's appropriation, Institution Canteen receipts, and the Telephone Rebate Fund to provide adult basic education, a high school equivalency course, and vocational courses through the community college system. Literacy is a significant problem that limits employment for the inmate population, and the Department has focused resources on literacy for the past several years. Research suggests inmate education increases employability of released inmates and reduces recidivism.

Vocational education is provided primarily in conjunction with Prison Industries. *The Governor is recommending \$1,570,358 from the General Fund for corrections education in FY 2009. This is no change compared to estimated FY 2008. The Governor is recommending an increase of \$375,000 to place workforce advisors at Newton, Mitchellville, and Rockwell City Correctional Facilities. The positions will provide work readiness plus career and skills assessments for parolees to address offender employment and the State's workforce shortage. This recommendation is included in the Iowa Workforce Development Department budget.*

Chronic Mental Illness – Approximately 40.00% of the prison population has a chronic or major mental illness. Most will be released to CBC supervision. The DOC operates the largest single mental health facility in the State – the Clinical Care Unit at Fort Madison. The DOC is the largest single provider of mental health treatment in the State. *The Governor is recommending \$3,000,000 from the Health Care Transformation Account to the Department of Human Services (DHS) to create emergency response teams to work with local law enforcement and emergency response providers to help stabilize situations. The Governor is also recommending a General Fund appropriation of \$8,000,000 to the DHS for a 3.00% increase to counties for mental health allowable growth. The Governor is also recommending a General Fund appropriation of \$1,100,000 to the DHS to implement the Demonstration to Maintain Independence and Employment (DMIE) waiver to allow parolees to obtain mental health care. This program would provide Medicaid coverage, employment assistance, and specialized mental health care and comprehensive community support to parolees to reduce recidivism.*

Offender Re-Entry – The General Assembly appropriated \$850,000 and 16.0 FTE positions to the DOC and CBC District Departments in FY 2007 to provide enhanced services to parolees as they re-enter society. The Subcommittee may want to review the DOC's results with the current offender re-entry program. *The Governor is recommending an increase of \$2,036,938 to fund one-stop community-based re-entry and recovery programs in Polk and Black Hawk counties and a Therapeutic Community Program at the Fort Dodge Correctional Facility. The Governor is recommending an additional \$10,000,000 in the Capitals Budget to create Community Resource Centers in Polk and Black Hawk counties.*

Sex Offender Supervision – House File 619 (2005 Sex Offender Act) relates to the supervision and treatment of sex offenders. The Subcommittee may want to review with the DOC the current budgets, filled positions, and supervision standards for sex offenders. *The Governor is recommending an additional \$1,864,657 to supervise, treat, and electronically monitor convicted sex offenders living in the community.*

Federal Grant Replacement – The Subcommittee may want to review outcome data and success measures of these programs. *The Governor is recommending an increase of \$444,252 to replace expired federal funds for a drug court and dual diagnosis program in the First CBC District Department and a Therapeutic Community Program at the Anamosa State Penitentiary.*

Fort Dodge CBC Facility – The facility is currently under construction. The Subcommittee may want to review the construction time line with the Department. *The Governor is recommending an increase of \$734,014 to operate the new facility in Fort Dodge in FY 2009.*

County Confinement Account – The Subcommittee may want to review recent expenditures from this Account. *The Governor is recommending a decrease of \$231,971 in this Account, which reimburses counties for holding alleged violators of conditions of parole, work release, or OWI release. The decrease is equal to the FY 2007 General Fund reversion.*

Operating Budgets – The Institutions and CBC District Departments have experienced cost increases for food, fuel, and pharmacy. The General Assembly transferred \$6,900,000 in FY 2008 to create a centralized pharmacy at Oakdale, by transferring funds from the other correctional facilities. The Subcommittee may want to review the implementation of the centralized pharmacy, and any cost savings that have been achieved. The DOC is proposing statutory changes to create a Central Warehouse Fund to streamline the

purchase of food. The Subcommittee may want to review this proposed statutory change with the DOC, and any potential savings that may be generated. *The Governor is recommending an increase of \$3,534,813 for food, fuel, treatment contracts, and pharmacy cost increases in FY 2009.*

Security Improvements – The General Assembly added \$115,000 and 1.0 FTE position in FY 2008 for a Director of Security. The position has been filled. The Subcommittee may want to review results of any security audits that may have been conducted, and any specific improvements that have been recommended. *The Governor is recommending an increase of \$2,000,000 to fund security audits and improvements in the corrections system.*

Other Funds – The DOC leverages other funds under its control to perform the functions of the Department. The Subcommittee may want to review balances of selected funds, such as the Inmate Labor, Oakdale Telephone Rebate, Interstate Compact Fees, and Canteen Funds.

Iowa Corrections Offender Network (ICON) – The ICON system is the information technology system for the DOC. Several modules have been sold to other governmental entities, such as the federal Bureau of Prisons. Receipts generated by such sales are deposited into the ICON Fund. The FY 2007 balance brought forward to FY 2008 was \$1,057,558. The Subcommittee may want to discuss development and maintenance plans for ICON with the DOC. *The Governor is recommending \$500,000 from the Technology Reinvestment Fund in FY 2009.*

Department of Inspections and Appeals – State Public Defender

General Fund appropriations for the Department of Inspections and Appeals are the responsibility of the Administration and Regulation Subcommittee, except for the State Public Defender's Office and indigent defense. The State Public Defender's Office administers local public defender's offices; provides legal counsel to indigent convicted criminals on appeals and for post-conviction relief proceedings; is responsible for indigent juvenile cases; and reviews all expense claim reimbursements from private attorneys for indigent defense cases. In FY 1988, the costs of providing legal counsel to indigent criminal defendants and juveniles (indigent defense) were transferred to the State as part of court reorganization. Before FY 1988, these costs were paid by the counties.

The Governor is recommending FY 2009 General Fund appropriations totaling \$53,031,834 and 203.00 FTE positions for the State Public Defender and Indigent Defense. This is no change in funding and an increase of 1.00 FTE position compared to estimated FY 2008. The additional FTE position is funded by converting outside services contracts for temporary workers to salary for an Information Technology Support Worker.

General Fund Recommendations

	Estimated FY 2008	Gov Rec FY 2009	Gov Rec vs. FY 2008
<u>Inspections & Appeals, Department of</u>			
Public Defender			
Public Defender	\$ 21,749,296	\$ 21,749,296	\$ 0
Indigent Defense Appropriation	31,282,538	31,282,538	0
Total Inspections & Appeals, Department of	\$ 53,031,834	\$ 53,031,834	\$ 0

Issues

State Public Defender's Office –The State Public Defender's Office expended \$48.8 million in total funds during FY 2007, an increase of \$2.6 million (5.7%) compared to FY 2006. Costs for this constitutionally mandated program have been steadily increasing due to the increase in cases and claims. Since FY 1997, the average annual increase in spending has been 7.5%. From FY 1997 to FY 2007, the number of attorney claims for reimbursement from the Indigent Defense Fund increased by 11.0%, while the number of cases handled by the State Public Defender's Office increased by 2.0%. Senate File 575 (FY 2008 Justice System Appropriations Act) increased the hourly reimbursement rate for court-appointed counsel for staffing certain cases. This was estimated to cost an additional \$300,000 in FY 2009. The FY 2007 reversion of \$1,299,017 remains in the current budget, and may be used to offset projected increases in expenditures in FY 2009.

Judicial Branch

Iowa has a unified trial court system known as the Iowa District Court that has general jurisdiction over all civil, criminal, juvenile, and probate matters in the State. The Iowa District Court is composed of different kinds of judicial officers with varying amounts of jurisdiction including judicial magistrates, associate juvenile judges, associate probate judges, district associate judges, and district court judges. There are two appellate courts in Iowa's judicial system—the Iowa Supreme Court and the Iowa Court of Appeals. Seven justices sit on the Supreme Court and nine judges form the Court of Appeals.

The Judicial Branch is requesting FY 2009 General Fund appropriations totaling \$157,885,796 and 2,060.80 FTE positions. This includes both the operating budget and Judicial Retirement. This is an increase of \$9,489,511 and 57.70 FTE positions compared to estimated FY 2008. This is in addition to the \$2,954,358 the Judicial Branch is requesting in the salary bill to implement Phase 3 of the Blue Ribbon Commission Report. The Judicial Branch is not requesting an FY 2009 other fund appropriation. This is a decrease of \$2,000,000 compared to estimated FY 2008.

General Fund Recommendations

	Estimated FY 2008	Gov Rec FY 2009	Gov Rec vs. FY 2008
Judicial Branch			
Judicial Branch	\$ 144,945,322	\$ 150,260,170	\$ 5,314,848
Judicial Retirement	3,450,963	7,625,626	4,174,663
Total Judicial Branch	\$ 148,396,285	\$ 157,885,796	\$ 9,489,511

Increases include:

- \$1,012,904 and 16.75 FTE positions for juvenile court and to meet new federal reporting requirements including:
 - 9.00 FTE positions for juvenile court officers in each of the Judicial Districts, with two being placed in the Fifth Judicial District.
 - 1.00 FTE position for a juvenile court technician for the Second Judicial District.
 - 1.00 FTE position for a juvenile court coordinator in the State Court Administrator's Office.
 - 2.00 FTE positions for case coordinators in the Fifth and Seventh Judicial Districts.
 - 1.00 FTE position for a court attendant in the Sixth Judicial District.

- 1.00 FTE position for a District Associate Judge, 1.0 FTE position for a court reporter, and three-fourths of an FTE position for a court attendant for the Sixth Judicial District.
- \$231,128 and 2.75 FTE positions for a District Court Judge, court reporter, and court attendant for the Fourth Judicial District.
- \$431,386 for 7.00 FTE positions for Iowa Court Information System (ICIS) staff for the Electronic Document Management System (EDMS) Project. Six of the additional staff will be technical staff to help implement the business plan and one of the additional staff will be an attorney who will assist with compliance issues related to records management.
- \$224,818 and 1.00 FTE position for education and training of Judicial Branch employees.
- \$132,384 and 2.00 FTE positions for two attorneys to assist the Supreme Court in the development of Court rules and forms, proposals for legislation, and supervisory orders.
- \$990,228 and 23.25 FTE positions for support personnel including:
 - Four additional law clerks for the Court of Appeals.
 - Five court attendant/clerical positions for the Third Judicial District.
 - Three court attendant/clerical positions for the Fifth Judicial District.
 - One court attendant/clerical position for the Eighth Judicial District.
 - One-fourth of an FTE position for a judicial clerk in Clayton County.
 - Ten judicial clerks for Polk County.
- \$775,000 for furniture and equipment in the following Districts:
 - \$172,000 for the Third Judicial District.
 - \$345,000 for the Fifth Judicial District.
 - \$258,000 for the Eighth Judicial District.
- \$550,000 for a records management consultant and to archive records in the Clerks' Offices.
- \$967,000 and 1.00 FTE position for an interpreter in the Fifth Judicial District and to provide sound and recording systems for Americans with Disabilities (ADA) and Interpreter Compliance.
- \$4,174,663 for Judicial Retirement. This increases the total General Fund appropriation for Judicial Retirement to \$7,625,626, putting the State's contribution rate at 30.60%. If the Judges contribute the required 6.00% or \$1,495,221, the total contribution rate will be 36.60% or \$9,120,847. This matches the most recent actuarial report.

If the General Fund appropriation for Judicial Retirement is increased to the statutorily required 23.70%, an increase of \$2,455,159 would be required to fully fund the contribution. This would increase the State's contribution to a total of \$5,906,122. Including the Judges 6.00% contribution, the total contribution would be \$7,401,343.

Other Fund Recommendation

	Estimated FY 2008	Gov Rec FY 2009	Gov Rec vs. FY 2008
Judicial Branch			
Judicial Retirement-Jury Witness Fund	\$ 2,000,000	\$ 0	\$ -2,000,000
Total Judicial Branch	<u>\$ 2,000,000</u>	<u>\$ 0</u>	<u>\$ -2,000,000</u>

In FY 2008, the General Assembly appropriated \$2,000,000 in one-time carry forward money from the Jury Witness Fee Revolving Fund to the Judicial Retirement Fund. This appropriation was in addition to the \$3,450,963 General Fund appropriation for Judicial Retirement. This action increased the employer's contribution amount to \$5,450,963.

Issues

Electronic Document Management System (EDMS) – The Judicial Branch has initiated discussions with the second vendor from the original Request for Proposal (RFP) process. The first vendor's proposal was rejected on material breach over limitation liability. If negotiations are not successful with the second vendor, then the RFP will be modified and reissued. If that occurs, it will extend the project approximately six months. The original cost of the project remains at \$18,000,000 and the pilot project counties are still planned for Plymouth and Story in addition to the Court of Appeals. The EDMS project will take approximately four years to be implemented Statewide. The project will be funded from the Enhanced Court Collections Fund.

Law Enforcement Academy

The Iowa Law Enforcement Academy (ILEA) provides training for law enforcement officers, jailers, and telecommunicators in the State. The Academy also administers a program of psychological testing for applicants for law enforcement positions, approves regional training programs, establishes hiring standards for peace officers, and provides audio-visual resources for law enforcement training and educational institutions.

The Governor is recommending an FY 2009 General Fund appropriation of \$1,283,115 and 30.05 FTE positions. This is a decrease of \$6,447 and no change in FTE positions compared to estimated FY 2008 for a general budget reduction.

General Fund Recommendation

	Estimated FY 2008	Gov Rec FY 2009	Gov Rec vs. FY 2008
Law Enforcement Academy			
Law Enforcement Academy	\$ 1,289,562	\$ 1,283,115	\$ -6,447
Total Law Enforcement Academy	<u>\$ 1,289,562</u>	<u>\$ 1,283,115</u>	<u>\$ -6,447</u>

Issues

Law Enforcement Academy Class Sizes and Appropriations – In FY 2008, language was included in SF 575 (FY 2008 Justice System Appropriations Act) that allowed the ILEA to charge more than 50.00% of the

cost of tuition to help offset a potential revenue shortfall in the operating budget resulting from a decrease in attendees to the Basic Academy. The General Fund appropriation to the Academy for FY 2008 was \$1,289,562. The amount recommended for FY 2009 is \$1,283,115, but was reduced by \$6,447 for a general budget reduction. This could be offset when the Council approves the fees for FY 2009. The total cost to attend the Basic Academy in FY 2008 is \$5,957 per person. Tuition for FY 2008 will be 60.00% of the cost to attend or \$3,575 per person. The Academy is requesting continued authority to charge more than 50.00% of the cost of tuition to offset potential revenue shortfalls in FY 2009.

Board of Parole

The Board's mission is to reintegrate offenders into the community. There are offenders that the Board has determined can be released from prison without detriment to the public or themselves. The Board performs risk evaluations for inmates, reviews eligible parole cases, holds parole hearings for eligible inmates, and selects inmates for conditional release on parole and work release. The Board revokes conditional releases and returns to prison those offenders that have failed. The Board also notifies victims of relevant information before a parole hearing, and advises the Governor on matters of executive clemency.

The Governor is recommending an FY 2009 General Fund appropriation of \$1,249,992 and 18.50 FTE positions. This is a decrease of \$6,281 and an increase of 1.00 FTE position compared to estimated FY 2008. The funding decrease is for a general budget reduction. The new FTE position is to be funded within the existing budget.

General Fund Recommendation

	Estimated FY 2008	Gov Rec FY 2009	Gov Rec vs. FY 2008
<u>Parole, Board of</u>			
Parole Board	\$ 1,256,273	\$ 1,249,992	\$ -6,281
Total Parole, Board of	<u>\$ 1,256,273</u>	<u>\$ 1,249,992</u>	<u>\$ -6,281</u>

Issues

Paroles Granted – The Board's mission is to reintegrate offenders into the community while protecting public safety. The Board screens offenders for release from prison. The Board may grant a parole or work release to offenders to provide transitional release back to their communities, commensurate with public safety. The number of paroles granted in FY 2007 decreased by 679, or 16.6%, compared to FY 2006. The number of work releases granted increased by 8.4% (102 cases) over the same period, but not enough to offset the decrease in paroles. According to the Criminal and Juvenile Justice Planning Division of the Department of Human Rights, if FY 2007 parole grants had been similar to FY 2006, the year-end prison population may have been reduced by 232 offenders, less those returned for violations. The Subcommittee may wish to review release criteria with the Board. Factors may include, but are not limited to, the Board's desire to incapacitate certain offenders, offenders' refusal of parole, previous failures on parole, and resources for treatment and supervision in the community.

Department of Public Defense

Two Divisions make up the Department of Public Defense. The Military Division (Iowa National Guard) provides units and equipment to protect life and property, to preserve peace and order, and to

ensure public safety for the citizens of Iowa. The Homeland Security and Emergency Management Division manages risks and hazards with local and federal entities through mitigation, preparedness, response, and recovery initiatives.

The Governor is recommending FY 2009 General Fund appropriations totaling \$8,676,379 and 338.85 FTE positions. This is a decrease of \$27,187 and 2.68 FTE positions compared to estimated FY 2008.

General Fund Recommendations

	Estimated FY 2008	Gov Rec FY 2009	Gov Rec vs. FY 2008
Public Defense, Department of			
Public Defense, Department of			
Public Defense, Department of	\$ 6,311,985	\$ 6,404,798	\$ 92,813
Civil Air Patrol	120,000	0	-120,000
Total Public Defense, Department of	\$ 6,431,985	\$ 6,404,798	\$ -27,187
Public Defense - Emergency Management Division			
Homeland Security & Emer. Mgmt.	\$ 2,271,581	\$ 2,271,581	\$ 0
Total Public Defense, Department of	\$ 8,703,566	\$ 8,676,379	\$ -27,187

Significant changes include:

- An increase of \$92,813 for the Military Division of the Department of Public Defense for FY 2009 costs to open the Camp Dodge Readiness Center. This provides partial year funding and full costs would be annualized the following fiscal year.
- A decrease of \$120,000 to eliminate the General Fund appropriation for the Civil Air Patrol. The money had been used for on-going training and education.

Other Fund Recommendation

	Estimated FY 2008	Gov Rec FY 2009	Gov Rec vs. FY 2008
Public Defense, Department of			
Public Defense - Emergency Management Division			
Surcharge to Answering Points-E911	\$ 496,000	\$ 0	\$ -496,000
Total Public Defense, Department of	\$ 496,000	\$ 0	\$ -496,000

The Governor is not recommending an FY 2009 other fund appropriation. This is a decrease of \$496,000 compared to estimated FY 2008. The decrease reflects one-time funds that were appropriated in FY 2008 from the E911 Wireless Fund for the purchase of Phase 2 communications equipment and upgrades. This provided one-time funding of \$4,066 per Public Safety Answering Point (PSAP) for each of the 122 PSAPS in the State.

Issues

Temporary Negative Cash Balance – The Military Division is requesting language for the Homeland Security and Emergency Management Division (HSEMD) to allow a negative cash balance as long as there are federal reimbursable expenses. This would allow the Division to borrow State funds to cover

expenses until federal funds are received. The Military Division is in charge of the accounting and payroll system for the HSEMD. The Military Division is trying to eliminate special funds that do not draw interest and move the accounting to one appropriation. This may cause a cash flow problem. Homeland Security can draw funds quickly and they do not have to process claims until federal funds are received, but funds do not always arrive in time to meet the payroll expenses for federally-funded employees.

Department of Public Safety

The Department of Public Safety (DPS) is the State law enforcement agency. The Department includes: Administrative Services Division, Division of Criminal Investigation, Division of Narcotics Enforcement, Fire Marshal's Office, and the State Patrol Division.

The Governor is recommending FY 2009 General Fund appropriations totaling \$87,934,027 and 1,003.50 FTE positions. This is a decrease of \$148,108 and an increase of 3.00 FTE positions compared to estimated FY 2008.

General Fund Recommendations

	Estimated FY 2008	Gov Rec FY 2009	Gov Rec vs. FY 2008
<u>Public Safety, Department of</u>			
Public Safety Administration	\$ 4,180,033	\$ 4,455,581	\$ 275,548
Public Safety DCI	21,729,482	21,245,742	-483,740
Narcotics Enforcement	6,315,289	6,335,522	20,233
Public Safety Undercover Funds	123,343	123,343	0
DPS Fire Marshal	3,328,952	4,182,548	853,596
Fire Service	836,508	0	-836,508
Iowa State Patrol	50,210,762	50,233,525	22,763
DPS/SPOC Sick Leave Payout	316,179	316,179	0
Fire Fighter Training	699,587	699,587	0
DCI - Crime Lab Equipment/Training	342,000	342,000	0
Total Public Safety, Department of	\$ 88,082,135	\$ 87,934,027	\$ -148,108

The Governor is recommending the following shifts in General Fund funding:

- Reallocate \$83,002 and 1.00 FTE position for the Commission for the Accreditation of Law Enforcement Agencies (CALEA) Accreditation Coordinator from the Division of Criminal Investigation to the Commissioner's Office within the Administration Division.
- Reallocate \$127,120 from the enforcement divisions to the Finance Bureau within the Administration Division for support of the Finance Bureau Chief.
- Reallocate \$65,426 and 1.00 FTE position for a new position in the Technology Services Bureau within the Administration Division dedicated to the creation and maintenance of database applications in the Department.
- Reallocate \$123,254 in resources from the Division of Criminal Investigation to the Administrative Services Division. This figure includes \$111,477 for support in the Finance Bureau of the Administrative Services Division and \$11,777 for support in the Technology Services Bureau of the Administrative Services Division.

- Reallocate \$13,243 in resources from the Division of Narcotics Enforcement to the Administrative Services Division.
- Reallocate \$131,985 in resources from the Iowa State Patrol to the Administrative Services Division.
- Reallocate \$7,066 in resources from the State Fire Marshal's Office to the Administrative Services Division.
- Merge the \$836,508 General Fund appropriation and 10.00 FTE positions for the Fire Service Training Bureau into the State Fire Marshal's Office to provide fiscal flexibility.

The overall decrease of \$148,108 includes:

- A decrease of \$425,108 in General Fund money and 6.00 FTE positions to the Division of Criminal Investigation to reflect the closure of the Fort Madison Riverboat and one-time reductions to reflect the FY 2008 facility expansion at Burlington.
- An increase of \$227,000 for fuel to budget all Divisions within the Department of Public Safety at \$2.13 per gallon (net of taxes). The increases are as follows:
 - Division of Criminal Investigation - \$64,622
 - Narcotics Enforcement - \$33,476
 - Fire Marshal's Office - \$24,154
 - Iowa State Patrol - \$104,748
- A decrease of \$300,000 to reflect the elimination of fund appropriated to the Iowa State Patrol for the purchase of an airplane in FY 2008.
- An increase of \$350,000 for overtime for the Iowa State Patrol. In FY 2008, the Department of Public Safety had requested \$750,000 for overtime. In SF 601 (FY 2008 Standing Appropriations Act), the General Assembly allocated \$400,000 of the \$106,848,094 appropriated for salary adjustment to the Iowa State Patrol for overtime. This amount was built into the base for FY 2009. The Governor is recommending the remaining \$350,000 for overtime in FY 2009. Under the current collective bargaining agreement for the State Patrol, language states that the employer reserves the right to require employees to take earned compensatory time.

Other Fund Recommendations

The Governor is recommending the following Other Fund increases:

- \$107,945 and 1.00 FTE position in receipts to the Department of Public Safety from Native American Tribes to provide for audit, inspection, and enforcement services to assist in assuring Class III gaming and compliance with the Tribal-State Compacts, Gaming Ordinances, Regulations, and other applicable law on tribal lands. An annual assessment of each Tribe and other Compact provisions defray actual State regulatory costs.
- \$194,000 and 2.00 FTE positions to establish a Cold Case Unit with one Criminalist and one Special Agent to be dedicated full-time to cold case investigation that will be funded with federal funds.
- \$64,600 and 1.00 FTE position for an additional Criminalist to be added to the Internet Crimes Against Children Task Force that will be funded through federal funds.
- \$97,500 and 1.00 FTE position to provide for one new Fire Inspector dedicated to the inspection of aboveground storage tanks for flammable liquids. The resources are contingent on an increase in the

Aboveground Storage Tank Registration Fee from \$10 to \$25. This is part of legislation being proposed by the Department of Public Safety.

- \$118,383 and 1.00 FTE position to transfer the Assisted Living plan review and inspection function from the Department of Inspection and Appeals to the State Fire Marshal's Office. The FTE position associated with the plan reviews and the State Building Code will conduct the compliance inspections and the costs will be reimbursed by the Department of Inspection and Appeals.
- \$126,167 and 1.00 FTE position to transfer the nursing home plan review and inspection function from the Department of Inspections and Appeals to the State Fire Marshal's Office. The FTE position associated with the plan review will conduct the compliance inspections and the costs will be reimbursed by the Department of Inspection and Appeals.

Issues

Supplemental Funds – The Department spent the \$300,000 FY 2007 supplemental General Fund appropriation received for equipment on the following items:

- \$180,000 for desktop computers for the Iowa State Patrol posts and Fire Marshal's Office.
- \$120,000 for a gas chromatograph to analyze blood toxicology. The total cost for this equipment is \$240,000. The additional \$120,000 was paid from the Federal Asset Forfeiture Fund.

The Department of Public Safety also received \$2,400,000 of supplemental Restricted Capital money for FY 2007 for the following items:

- \$1,000,000 for State Radio Consoles for the Public Safety Answering Points.
- \$238,000 for Post 8 (Mason City) land acquisition.
- \$12,500 for Post 8 architectural fees.
- \$11,802 for Post 8 Department of Administrative Services (DAS) fees.
- \$282,300 for an airplane.
- \$96,000 for bomb technician digital imagers.
- \$100,000 for a training prop for the Fire Service Training Bureau. (The Fire Service Training Bureau also received a General Fund appropriation of \$100,000 for the purchase of the mobile training prop.)
- \$105,000 for the Iowa State Patrol to purchase accident reconstruction software.
- \$90,000 for the Iowa State Patrol to purchase a MILO System. This is a shoot/don't shoot training scenario system. There is one of these systems at Post 1 in Des Moines and the other system is rotated around the State to the other Posts for training.
- \$32,000 for Iowa State Patrol Air Wing radios.
- \$214,077 for furniture for the new Public Safety building.
- \$202,700 for printers and photocopiers for the new Public Safety building.
- \$15,621 for change orders for the new Public Safety building.

Division of Criminal Investigation – The Fort Madison casino riverboat is closed November 15, 2008. The Racing and Gaming Commission is currently billing the gaming industry \$445,000 annually to offset the cost of DPS Gaming Enforcement Officers and Special Agents at that facility. The revenues are deposited in the General Fund to offset the cost of the appropriation for riverboat enforcement. *The Governor is*

recommending a reduction of \$425,000 in General Fund money and 6.00 FTE positions to the Division of Criminal Investigation to reflect the closure of the Fort Madison Riverboat and one-time reductions to reflect the FY 2008 facility expansion at Burlington.

Fuel – Currently, fuel is budgeted for the State Patrol at \$2.00 per gallon (net of taxes) and for the rest of the Department of Public Safety at \$1.70 per gallon (net of taxes). The DPS is not required to pay the \$0.37 tax per gallon. The average cost per gallon for the entire Department in FY 2007 was \$2.11 per gallon (net of taxes). *The Governor is recommending \$227,000 to allow the Department of Public Safety to budget fuel for all Divisions at \$2.13 per gallon (net of taxes).*

Notice of Allocation Transfer Language – The Department utilized allocation transfer language for the first time in FY 2008 to transfer \$6,826 from the Fire Marshal's Office to the Fire Service Training Bureau. The proposed merger of the Fire Service Training Bureau into the Fire Marshal's Office should alleviate cash flow issues in the future.

INTERIM COMMITTEES, MEETINGS, AND PUBLICATIONS

State Prison System Planning Study Committee

The State Prison System Planning Study Committee met on September 19, October 10, and November 14, 2007. The Committee toured the Iowa State Penitentiary in Fort Madison and the Iowa Corrections Institution for Women at Mitchellville. The Committee also discussed recommendations from the Durrant Report. The Durrant Group is the consultant hired to lead the correctional system study.

The Committee reached the following conclusions:

- Construct a new maximum-security prison for men. The approximate 2007 costs with inflation are \$121.2 million. *The Governor is recommending \$130.7 million in the Capitals Budget to build a new maximum security prison at Fort Madison to replace the current facility. Funding is from a new issue of prison revenue bonds secured by current court fees and fines. The proposed facility is expected to open in FY 2014.*
- Expand the Iowa Corrections Institution for Women at Mitchellville. The approximate 2007 costs with inflation are \$51.4 million. *The Governor is recommending \$68.0 million in the Capitals Budget to expand and upgrade the facility. Funding is from proposed securitization of tobacco receipts.*
- Expand the Newton Correctional Facility. The approximate 2007 costs with inflation are \$25.3 million.
- Expand bed capacity at CBC District Departments. The approximate 2007 costs with inflation are \$41.5 million. *The Governor is recommending \$33.5 million in the Capitals Budget for additional residential facility capacity in Sioux City, Ottumwa, Waterloo, and Des Moines. Funding is from proposed securitization of tobacco receipts.*
- Limit the need for prison beds by the adoption of policies that will promote more efficient use of State resources, keep Iowans safe, and reduce recidivism rates after release. *The Governor is recommending an additional \$10.0 million in the Capitals Budget to create Community Resource Centers in Polk and Black Hawk counties. The Governor's Capitals Budget also includes \$12.5 million to renovate the kitchens at the Mount Pleasant and Rockwell City Correctional Facilities. Funding is from proposed securitization of tobacco receipts.*

- *The Governor is also recommending \$1.5 million in the Capitals Budget for initial funding of architectural and engineering costs, plus project management, for all DOC construction projects. Funding is from the Rebuild Iowa Infrastructure Fund.*

The Committee requested the DOC and the Durrant Group to further explore possible future uses of buildings remaining within the walls at the Iowa State Penitentiary. Additional information is available on the web site at <http://www.legis.state.ia.us/asp/Committees/Committee.aspx?id=214>.

Criminal Code Reorganization Study Committee

The Criminal Code Reorganization Study Committee met on September 24 and October 30, 2007. The Committee heard presentations on sentencing, drug courts, and the Code of Iowa. The Committee plans to meet in 2008 and has agreed to divide future work into four distinct subcommittees. The first subcommittee will work on foundational issues such as definitions, culpability, defenses, and inchoate crimes. The second subcommittee will review proposals reorganizing the Criminal Code. The third subcommittee will work on sentencing classification and the placement of internal references relating to sentencing in the Code of Iowa. The fourth subcommittee will review proposals relating to specific crimes. Additional information is available on the web site at <http://www.legis.state.ia.us/asp/Committees/Committee.aspx?id=211>.

APPENDIX A

Appropriations Tracking

General Fund

Other Funds

FTE Positions

Justice System

General Fund

	Actual FY 2007 (1)	Estimated FY 2008 (2)	Dept Request FY 2009 (3)	Gov Rec FY 2009 (4)	Gov Rec vs. Est. FY 2008 (5)	Percent Change (6)
<u>Justice, Department of</u>						
Justice, Department of						
General Office A.G.	\$ 8,617,205	\$ 9,485,145	\$ 9,715,145	\$ 9,437,720	\$ -47,425	-0.5%
Victim Assistance Grants	5,000	150,000	150,000	150,000	0	0.0%
Legal Services Poverty Grants	900,000	2,000,000	2,000,000	2,000,000	0	0.0%
Farm Mediation Services	100,000	300,000	300,000	300,000	0	0.0%
Children in Dissolution Proceedings Pilot Project	0	50,000	0	0	-50,000	-100.0%
Total Justice, Department of	\$ 9,622,205	\$ 11,985,145	\$ 12,165,145	\$ 11,887,720	\$ -97,425	-0.8%
Consumer Advocate						
Consumer Advocate	\$ 2,985,115	\$ 3,117,471	\$ 3,117,471	\$ 3,101,884	\$ -15,587	-0.5%
Total Justice, Department of	\$ 12,607,320	\$ 15,102,616	\$ 15,282,616	\$ 14,989,604	\$ -113,012	-0.7%
<u>Civil Rights Commission</u>						
Civil Rights Commission						
Civil Rights Commission	\$ 1,165,322	\$ 1,504,036	\$ 1,504,036	\$ 1,504,036	\$ 0	0.0%
Total Civil Rights Commission	\$ 1,165,322	\$ 1,504,036	\$ 1,504,036	\$ 1,504,036	\$ 0	0.0%
<u>Corrections, Department of</u>						
Community Based Corrections District 1						
CBC District I	\$ 11,634,090	\$ 12,706,033	\$ 12,706,033	\$ 13,965,618	\$ 1,259,585	9.9%
Community Based Corrections District 2						
CBC District II	\$ 9,272,266	\$ 10,080,108	\$ 10,080,108	\$ 11,398,603	\$ 1,318,495	13.1%
Community Based Corrections District 3						
CBC District III	\$ 5,503,671	\$ 5,903,401	\$ 5,903,401	\$ 6,114,983	\$ 211,582	3.6%
Community Based Corrections District 4						
CBC District IV	\$ 4,954,395	\$ 5,419,406	\$ 5,419,406	\$ 5,726,971	\$ 307,565	5.7%
Community Based Corrections District 5						
CBC District V	\$ 16,669,970	\$ 18,401,003	\$ 18,401,003	\$ 20,627,443	\$ 2,226,440	12.1%
Community Based Corrections District 6						
CBC District VI	\$ 11,463,070	\$ 12,675,246	\$ 12,475,246	\$ 13,107,929	\$ 432,683	3.4%
Community Based Corrections District 7						
CBC District VII	\$ 6,516,029	\$ 7,020,794	\$ 7,020,794	\$ 7,285,892	\$ 265,098	3.8%

Justice System

General Fund

	Actual FY 2007	Estimated FY 2008	Dept Request FY 2009	Gov Rec FY 2009	Gov Rec vs. Est. FY 2008	Percent Change
	(1)	(2)	(3)	(4)	(5)	(6)
Community Based Corrections District 8						
CBC District VIII	\$ 6,554,177	\$ 6,998,544	\$ 6,998,544	\$ 7,482,936	\$ 484,392	6.9%
Corrections-Central Office						
County Confinement	\$ 1,199,954	\$ 1,199,954	\$ 1,199,954	\$ 967,983	\$ -231,971	-19.3%
Federal Prisoners/ Contractual	241,293	241,293	241,293	241,293	0	0.0%
Corrections Administration	4,333,699	5,050,732	5,050,732	5,050,732	0	0.0%
Corrections Education	1,070,358	1,570,358	1,570,358	1,570,358	0	0.0%
Iowa Corrections Offender Network	427,700	427,700	427,700	427,700	0	0.0%
Hepatitis Treatment and Education	188,000	188,000	188,000	188,000	0	0.0%
Transitional Housing - Comm. Based	20,000	30,000	30,000	30,000	0	0.0%
Mental Health/Substance Abuse	25,000	25,000	25,000	25,000	0	0.0%
Security Audits-GF	0	0	0	2,000,000	2,000,000	0.0%
Total Corrections-Central Office	\$ 7,506,004	\$ 8,733,037	\$ 8,733,037	\$ 10,501,066	\$ 1,768,029	20.2%
Corrections - Fort Madison						
Ft. Madison Institution	\$ 43,704,446	\$ 44,512,509	\$ 44,512,509	\$ 46,253,871	\$ 1,741,362	3.9%
Corrections - Anamosa						
Anamosa Institution	\$ 30,108,164	\$ 30,656,614	\$ 30,656,614	\$ 31,178,054	\$ 521,440	1.7%
Corrections - Oakdale						
Oakdale Institution	\$ 33,372,085	\$ 56,204,468	\$ 56,204,468	\$ 58,128,271	\$ 1,923,803	3.4%
Corrections - Newton						
Newton Institution	\$ 26,962,398	\$ 27,841,158	\$ 27,841,158	\$ 27,978,941	\$ 137,783	0.5%
Corrections - Mt Pleasant						
Mt. Pleasant Inst.	\$ 26,315,128	\$ 26,331,092	\$ 26,331,092	\$ 27,390,452	\$ 1,059,360	4.0%
Corrections - Rockwell City						
Rockwell City Institution	\$ 8,820,356	\$ 9,108,454	\$ 9,166,484	\$ 9,262,685	\$ 154,231	1.7%
Corrections - Clarinda						
Clarinda Institution	\$ 25,487,076	\$ 25,078,365	\$ 25,078,365	\$ 25,207,465	\$ 129,100	0.5%
Corrections - Mitchellville						
Mitchellville Institution	\$ 15,449,597	\$ 15,878,663	\$ 15,878,663	\$ 15,935,768	\$ 57,105	0.4%
Corrections - Fort Dodge						
Ft. Dodge Institution	\$ 28,559,289	\$ 29,773,151	\$ 29,715,121	\$ 29,964,275	\$ 191,124	0.6%
Total Corrections, Department of	\$ 318,852,211	\$ 353,322,046	\$ 353,122,046	\$ 367,511,223	\$ 14,189,177	4.0%

Justice System

General Fund

	Actual FY 2007 (1)	Estimated FY 2008 (2)	Dept Request FY 2009 (3)	Gov Rec FY 2009 (4)	Gov Rec vs. Est. FY 2008 (5)	Percent Change (6)
<u>Inspections & Appeals, Department of</u>						
Public Defender						
Public Defender	\$ 20,370,271	\$ 21,749,296	\$ 21,749,296	\$ 21,749,296	\$ 0	0.0%
Indigent Defense Appropriation	25,163,082	31,282,538	31,282,538	31,282,538	0	0.0%
Total Inspections & Appeals, Department of	\$ 45,533,353	\$ 53,031,834	\$ 53,031,834	\$ 53,031,834	\$ 0	0.0%
<u>Judicial Branch</u>						
Judicial Branch						
Judicial Branch	\$ 123,237,410	\$ 144,945,322	\$ 150,260,170	\$ 150,260,170	\$ 5,314,848	3.7%
Judicial Retirement	2,039,664	3,450,963	7,625,626	7,625,626	4,174,663	121.0%
Youth Enrichment Pilot Project	50,000	0	0	0	0	0.0%
Total Judicial Branch	\$ 125,327,074	\$ 148,396,285	\$ 157,885,796	\$ 157,885,796	\$ 9,489,511	6.4%
<u>Law Enforcement Academy</u>						
Law Enforcement Academy						
Law Enforcement Academy	\$ 1,225,985	\$ 1,289,562	\$ 1,289,562	\$ 1,283,115	\$ -6,447	-0.5%
Total Law Enforcement Academy	\$ 1,225,985	\$ 1,289,562	\$ 1,289,562	\$ 1,283,115	\$ -6,447	-0.5%
<u>Parole, Board of</u>						
Parole Board						
Parole Board	\$ 1,177,849	\$ 1,256,273	\$ 1,256,273	\$ 1,249,992	\$ -6,281	-0.5%
Total Parole, Board of	\$ 1,177,849	\$ 1,256,273	\$ 1,256,273	\$ 1,249,992	\$ -6,281	-0.5%
<u>Public Defense, Department of</u>						
Public Defense, Department of						
Public Defense, Department of	\$ 5,929,167	\$ 6,311,985	\$ 6,311,985	\$ 6,404,798	\$ 92,813	1.5%
Civil Air Patrol	100,000	120,000	120,000	0	-120,000	-100.0%
Total Public Defense, Department of	\$ 6,029,167	\$ 6,431,985	\$ 6,431,985	\$ 6,404,798	\$ -27,187	-0.4%
Public Defense - Emergency Management Division						
Homeland Security & Emer. Mgmt.	\$ 1,601,033	\$ 2,271,581	\$ 2,271,581	\$ 2,271,581	\$ 0	0.0%
Total Public Defense, Department of	\$ 7,630,200	\$ 8,703,566	\$ 8,703,566	\$ 8,676,379	\$ -27,187	-0.3%

Justice System

General Fund

	Actual FY 2007	Estimated FY 2008	Dept Request FY 2009	Gov Rec FY 2009	Gov Rec vs. Est. FY 2008	Percent Change
	(1)	(2)	(3)	(4)	(5)	(6)
Public Safety, Department of						
Public Safety, Department of						
Public Safety Administration	\$ 3,806,840	\$ 4,180,033	\$ 4,455,581	\$ 4,455,581	\$ 275,548	6.6%
Public Safety DCI	19,470,441	21,729,482	21,606,228	21,245,742	-483,740	-2.2%
Narcotics Enforcement	5,550,724	6,315,289	6,302,046	6,335,522	20,233	0.3%
Public Safety Undercover Funds	123,343	123,343	123,343	123,343	0	0.0%
DPS Fire Marshal	2,767,566	3,328,952	4,158,394	4,182,548	853,596	25.6%
Fire Service	704,110	836,508	0	0	-836,508	-100.0%
Iowa State Patrol	46,106,927	50,210,762	50,078,777	50,233,525	22,763	0.0%
DPS/SPOC Sick Leave Payout	316,179	316,179	316,179	316,179	0	0.0%
Fire Fighter Training	699,587	699,587	699,587	699,587	0	0.0%
DPS Equipment	300,000	0	0	0	0	0.0%
DCI - Crime Lab Equipment/Training	342,000	342,000	342,000	342,000	0	0.0%
Capitol Building Security	775,000	0	0	0	0	0.0%
Total Public Safety, Department of	\$ 80,962,717	\$ 88,082,135	\$ 88,082,135	\$ 87,934,027	\$ -148,108	-0.2%
Total Justice System	\$ 594,482,031	\$ 670,688,353	\$ 680,157,864	\$ 694,066,006	\$ 23,377,653	3.5%

Justice System Other Funds

	Actual FY 2007 (1)	Estimated FY 2008 (2)	Dept Request FY 2009 (3)	Gov Rec FY 2009 (4)	Gov Rec vs. Est. FY 2008 (5)	Percent Change (6)
<u>Corrections, Department of</u>						
Community Based Corrections District 1 CBC District I - HITT	\$ 228,216	\$ 228,216	\$ 228,216	\$ 0	\$ -228,216	-100.0%
Community Based Corrections District 2 CBC District II - HITT	\$ 406,216	\$ 406,217	\$ 406,217	\$ 0	\$ -406,217	-100.0%
Community Based Corrections District 3 CBC District III - HITT	\$ 200,359	\$ 200,359	\$ 200,359	\$ 0	\$ -200,359	-100.0%
Community Based Corrections District 4 CBC District IV - HITT	\$ 291,731	\$ 291,731	\$ 291,731	\$ 0	\$ -291,731	-100.0%
Community Based Corrections District 5 CBC District V - HITT	\$ 355,692	\$ 355,693	\$ 355,693	\$ 0	\$ -355,693	-100.0%
Community Based Corrections District 6 CBC District VI - HITT	\$ 164,741	\$ 494,741	\$ 494,741	\$ 0	\$ -494,741	-100.0%
Community Based Corrections District 7 CBC District VII - HITT	\$ 232,232	\$ 232,232	\$ 232,232	\$ 0	\$ -232,232	-100.0%
Community Based Corrections District 8 CBC District VIII - HITT	\$ 300,000	\$ 300,000	\$ 300,000	\$ 0	\$ -300,000	-100.0%
Corrections - Fort Madison Ft. Madison CCU - HITT	\$ 1,497,285	\$ 1,497,285	\$ 1,497,285	\$ 0	\$ -1,497,285	-100.0%
Corrections - Newton Newton Value Based Treatment-HITT	\$ 310,000	\$ 0	\$ 0	\$ 0	\$ 0	0.0%
Total Corrections, Department of	\$ 3,986,472	\$ 4,006,474	\$ 4,006,474	\$ 0	\$ -4,006,474	-100.0%
<u>Judicial Branch</u>						
Judicial Branch Judicial Retirement-Jury Witness Fund	\$ 0	\$ 2,000,000	\$ 0	\$ 0	\$ -2,000,000	-100.0%
Total Judicial Branch	\$ 0	\$ 2,000,000	\$ 0	\$ 0	\$ -2,000,000	-100.0%
<u>Public Defense, Department of</u>						
Public Defense - Emergency Management Division Surcharge to Answering Points-E911	\$ 0	\$ 496,000	\$ 0	\$ 0	\$ -496,000	-100.0%
Total Public Defense, Department of	\$ 0	\$ 496,000	\$ 0	\$ 0	\$ -496,000	-100.0%
Total Justice System	\$ 3,986,472	\$ 6,502,474	\$ 4,006,474	\$ 0	\$ -6,502,474	-100.0%

Justice System FTE

	Actual FY 2007	Estimated FY 2008	Dept Request FY 2009	Gov Rec FY 2009	Gov Rec vs. Est. FY 2008	Percent Change
	(1)	(2)	(3)	(4)	(5)	(6)
<u>Justice, Department of</u>						
Justice, Department of						
General Office A.G.	195.42	226.50	230.50	226.50	0.00	0.0%
Victim Compensation Fund	18.84	22.00	22.00	22.00	0.00	0.0%
Total Justice, Department of	214.26	248.50	252.50	248.50	0.00	0.0%
Consumer Advocate						
Consumer Advocate	22.48	27.00	27.00	27.00	0.00	0.0%
Total Justice, Department of	236.74	275.50	279.50	275.50	0.00	0.0%
<u>Civil Rights Commission</u>						
Civil Rights Commission						
Civil Rights Commission	24.61	29.00	29.00	29.00	0.00	0.0%
Total Civil Rights Commission	24.61	29.00	29.00	29.00	0.00	0.0%
<u>Corrections, Department of</u>						
Community Based Corrections District 1						
CBC District I	199.00	199.50	198.15	205.40	5.90	3.0%
Community Based Corrections District 2						
CBC District II	144.59	146.59	146.59	159.94	13.35	9.1%
Community Based Corrections District 3						
CBC District III	79.79	81.99	81.99	81.99	0.00	0.0%
Community Based Corrections District 4						
CBC District IV	74.00	75.00	75.00	75.00	0.00	0.0%
Community Based Corrections District 5						
CBC District V	269.12	279.12	279.12	298.46	19.34	6.9%
Community Based Corrections District 6						
CBC District VI	189.06	193.06	193.06	195.06	2.00	1.0%
Community Based Corrections District 7						
CBC District VII	103.45	105.45	105.45	105.45	0.00	0.0%
Community Based Corrections District 8						
CBC District VIII	94.05	97.15	97.15	99.15	2.00	2.1%

Justice System FTE

	Actual FY 2007	Estimated FY 2008	Dept Request FY 2009	Gov Rec FY 2009	Gov Rec vs. Est. FY 2008	Percent Change
	(1)	(2)	(3)	(4)	(5)	(6)
Corrections-Central Office						
Corrections Administration	43.46	47.18	47.18	47.18	0.00	0.0%
Corrections - Fort Madison						
Ft. Madison Institution	523.06	556.50	556.50	556.50	0.00	0.0%
Corrections - Anamosa						
Anamosa Institution	336.68	351.25	347.50	352.25	1.00	0.3%
Corrections - Oakdale						
Oakdale Institution	334.61	610.50	610.50	610.50	0.00	0.0%
Corrections - Newton						
Newton Institution	324.80	351.00	351.00	351.00	0.00	0.0%
Corrections - Mt Pleasant						
Mt. Pleasant Inst.	293.92	314.56	315.56	320.56	6.00	1.9%
Corrections - Rockwell City						
Rockwell City Institution	107.35	112.00	113.00	113.00	1.00	0.9%
Corrections - Clarinda						
Clarinda Institution	294.36	303.20	303.20	303.20	0.00	0.0%
Corrections - Mitchellville						
Mitchellville Institution	191.87	198.00	198.00	198.00	0.00	0.0%

Justice System

FTE

	Actual FY 2007	Estimated FY 2008	Dept Request FY 2009	Gov Rec FY 2009	Gov Rec vs. Est. FY 2008	Percent Change
	(1)	(2)	(3)	(4)	(5)	(6)
Corrections - Fort Dodge						
Ft. Dodge Institution	344.46	367.00	366.00	368.00	1.00	0.3%
Total Corrections, Department of	3,947.62	4,389.05	4,384.95	4,440.64	51.59	1.2%
<u>Iowa Telecommunications & Technology Commission</u>						
Iowa Communications Network						
ICN Operations	93.06	107.00	107.00	107.00	0.00	0.0%
Total Iowa Telecommunications & Technology Cor	93.06	107.00	107.00	107.00	0.00	0.0%
<u>Inspections & Appeals, Department of</u>						
Public Defender						
Public Defender	198.71	202.00	203.00	203.00	1.00	0.5%
Total Inspections & Appeals, Department of	198.71	202.00	203.00	203.00	1.00	0.5%
<u>Judicial Branch</u>						
Judicial Branch						
Judicial Branch	1,932.50	2,003.10	2,060.80	2,060.80	57.70	2.9%
Total Judicial Branch	1,932.50	2,003.10	2,060.80	2,060.80	57.70	2.9%
<u>Law Enforcement Academy</u>						
Law Enforcement Academy						
Law Enforcement Academy	27.27	30.05	30.05	30.05	0.00	0.0%
Total Law Enforcement Academy	27.27	30.05	30.05	30.05	0.00	0.0%
<u>Parole, Board of</u>						
Parole Board						
Parole Board	13.71	17.50	17.50	18.50	1.00	5.7%
Total Parole, Board of	13.71	17.50	17.50	18.50	1.00	5.7%

Justice System

FTE

	Actual FY 2007	Estimated FY 2008	Dept Request FY 2009	Gov Rec FY 2009	Gov Rec vs. Est. FY 2008	Percent Change
	(1)	(2)	(3)	(4)	(5)	(6)
Public Defense, Department of						
Public Defense, Department of						
Public Defense, Department of	299.36	306.43	299.35	303.85	-2.58	-0.8%
Total Public Defense, Department of	299.36	306.43	299.35	303.85	-2.58	-0.8%
Public Defense - Emergency Management Division						
Homeland Security & Emer. Mgmt.	52.58	35.10	35.00	35.00	-0.10	-0.3%
Total Public Defense - Emergency Management D	52.58	35.10	35.00	35.00	-0.10	-0.3%
Total Public Defense, Department of	351.94	341.53	334.35	338.85	-2.68	-0.8%
Public Safety, Department of						
Public Safety, Department of						
Public Safety Administration	37.95	37.00	39.00	39.00	2.00	5.4%
Public Safety DCI	260.35	289.50	289.50	287.50	-2.00	-0.7%
Narcotics Enforcement	68.86	82.00	82.00	82.00	0.00	0.0%
DPS Fire Marshal	38.75	47.00	57.00	60.00	13.00	27.7%
Fire Service	9.80	10.00	0.00	0.00	-10.00	-100.0%
Iowa State Patrol	516.30	535.00	535.00	535.00	0.00	0.0%
Total Public Safety, Department of	932.01	1,000.50	1,002.50	1,003.50	3.00	-0.68
Total Justice System	7,758.19	8,395.23	8,448.65	8,506.84	111.61	1.3%

APPENDIX B

Budget Unit Schedules

Schedules 1 and 6

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (090) Attorney General
Budget Unit: (1120B010001) General Office A.G.
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Base	Restoration of the base budget maintains current staffing and funding of necessary expenditures. Any cut in funding could hinder discretionary services and necessitate hiring private outside counsel at a much greater cost to the state.	Appropriation FTE	9,485,145 226.50	9,485,145 226.50
0001	Charities Unit	FTE	2.00	0.00
0002	Senior Fraud Prosecution Unit	Appropriation FTE	230,000 2.00	0 0.00
0003	Governors 1/2 percent reduction.	Appropriation	0	-47,425
<u>Total Budget Unit Funding</u>		<u>Fiscal Year 2008 Estimated</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Appropriation		\$ 8,907,205	\$ 9,715,145	\$ 9,437,720
Salary Adjustment		577,940	0	0
Total Appropriations		<u>\$ 9,485,145</u>	<u>\$ 9,715,145</u>	<u>\$ 9,437,720</u>
Total FTE		<u>226.50</u>	<u>230.50</u>	<u>226.50</u>

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (090) Attorney General
Budget Unit: (1140B060001) Consumer Advocate
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Base	Restoration of the base budget allows participation in current levels of rate and energy efficiency proceedings. Not funding this level jeopardizes the Consumer Advocate's compliance with Iowa Code section 475A.	Appropriation FTE	3,117,471 27.00	3,117,471 27.00
0001	Governor's 1/2 percent reduction	Appropriation	0	-15,587
<u>Total Budget Unit Funding</u>		<u>Fiscal Year 2008 Estimated</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Appropriation		\$ 2,985,115	\$ 3,117,471	\$ 3,101,884
Salary Adjustment		132,356	0	0
Total Appropriations		<u>\$ 3,117,471</u>	<u>\$ 3,117,471</u>	<u>\$ 3,101,884</u>
Total FTE		27.00	27.00	27.00

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (090) Attorney General
Budget Unit: (1120B100001) Victim Assistance Grants
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Base	The Domestic Abuse/Sexual Assault Grants provide funding for twenty-seven service providers around the state. Restoration of the base budget will allow centers to provide minimal services, but they must rely heavily on donations as well.	Appropriation	150,000	150,000
<u>Total Budget Unit Funding</u>		Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recommendations
Appropriation		\$ 150,000	\$ 150,000	\$ 150,000

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (090) Attorney General
Budget Unit: (1120B110001) Legal Services Poverty Grants
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Base	Restoration of the base budget will allow contracting for services with Iowa Legal Aid for civil legal services for low-income Iowans.	Appropriation	2,000,000	2,000,000
<u>Total Budget Unit Funding</u>		Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recommendations
Appropriation		\$ 2,000,000	\$ 2,000,000	\$ 2,000,000

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (090) Attorney General
Budget Unit: (1120B120001) Farm Mediation Services
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Base	For the purposes of funding farm mediation services pursuant to the farm assistance program created in sections 13.13 through 13.24.	Appropriation	300,000	300,000
<u>Total Budget Unit Funding</u>		Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recommendations
Appropriation		\$ 300,000	\$ 300,000	\$ 300,000

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (677) Parole, Board of
Budget Unit: (5470B400001) Parole Board
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Base	Provides 100% funding level of FY07 budget	Appropriation	1,256,273	1,256,273
		FTE	17.50	18.50
0001	Governors 1/2 percent reduction	Appropriation	0	-6,281
<u>Total Budget Unit Funding</u>		<u>Fiscal Year 2008 Estimated</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Appropriation		\$ 1,177,849	\$ 1,256,273	\$ 1,249,992
Salary Adjustment		78,424	0	0
Total Appropriations		<u>\$ 1,256,273</u>	<u>\$ 1,256,273</u>	<u>\$ 1,249,992</u>
Total FTE		17.50	17.50	18.50

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (180) Civil Rights Commission
Budget Unit: (1670J210001) Civil Rights Commission
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Base	ICRC resolves 2,000 discrimination complaints per year and conducts education and outreach programs to further voluntary compliance. ICRC projects FFY08 federal reductions exceeding \$150,000 making it difficult to maintain FY07 level of services.	Appropriation FTE	1,504,036 29.00	1,504,036 29.00
<u>Total Budget Unit Funding</u>		<u>Fiscal Year 2008 Estimated</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Appropriation		\$ 1,412,647	\$ 1,504,036	\$ 1,504,036
Salary Adjustment		91,389	0	0
Total Appropriations		<u>\$ 1,504,036</u>	<u>\$ 1,504,036</u>	<u>\$ 1,504,036</u>
Total FTE		29.00	29.00	29.00

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (200) Corrections, Department of
Budget Unit: (2210A010001) CBC District I
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Base	Restoration package provides funding at 100% level for 1st district budget. This funding is for the requirements contained in the Code of Iowa.	Appropriation FTE	12,706,033 198.15	12,706,033 198.15
0001	Food, fuel, pharmacy, treatment contracts.	Appropriation	0	41,870
0002	Sex Offender/HF619	Appropriation FTE	0 0.00	134,920 2.00
0003	Grant Replacement	Appropriation FTE	0 0.00	206,000 1.25
0004	One Stop Reentry Center. Of this amount, \$28,140 is one time costs.	Appropriation FTE	0 0.00	648,579 4.00
0005	HITT Replacement with General Fund	Appropriation	0	228,216
<u>Total Budget Unit Funding</u>		<u>Fiscal Year 2008 Estimated</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Appropriation		\$ 12,012,728	\$ 12,706,033	\$ 13,965,618
Salary Adjustment		693,305	0	0
Total Appropriations		<u>\$ 12,706,033</u>	<u>\$ 12,706,033</u>	<u>\$ 13,965,618</u>
Total FTE		199.50	198.15	205.40

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (200) Corrections, Department of
Budget Unit: (2210A110292) CBC District I - Tobacco
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recommendations
Base		Appropriation	228,216	0
		Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recommendations
<u>Total Budget Unit Funding</u>		<u>\$ 228,216</u>	<u>\$ 228,216</u>	<u>\$ 0</u>
Appropriation				

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (200) Corrections, Department of
Budget Unit: (2220A020001) CBC District II
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Base	Restoration package provides funding at 100% level for 2nd district budget. This funding is for the requirements contained in the Code of Iowa.	Appropriation FTE	10,080,108 146.59	10,080,108 146.59
0001	Food, fuel, pharmacy, treatment contracts.	Appropriation	0	20,882
0002	Sex Offender/HF619	Appropriation FTE	0 0.00	157,382 2.00
0003	Fort Dodge Residential expansion	Appropriation FTE	0 0.00	734,014 11.35
0004	HITT Replacement with General Fund.	Appropriation	0	406,217
<u>Total Budget Unit Funding</u>		<u>Fiscal Year 2008 Estimated</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Appropriation		\$ 9,526,073	\$ 10,080,108	\$ 11,398,603
Salary Adjustment		554,035	0	0
Total Appropriations		<u>\$ 10,080,108</u>	<u>\$ 10,080,108</u>	<u>\$ 11,398,603</u>
Total FTE		<u>146.59</u>	<u>146.59</u>	<u>159.94</u>

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (200) Corrections, Department of
Budget Unit: (2220A120292) CBC District II - Tobacco
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recommendations
Base		Appropriation	406,217	0
		Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recommendations
<u>Total Budget Unit Funding</u>		<u>\$ 406,217</u>	<u>\$ 406,217</u>	<u>\$ 0</u>
Appropriation				

STATE OF IOWA

Fiscal Year 2009 Annual Budget

SPECIAL DEPARTMENT: (200) Corrections, Department of

Budget Unit: (2230A030001) CBC District III

Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Base	Restoration package provides funding at 100% level for 3rd district budget. This funding is for the requirements contained in the Code of Iowa.	Appropriation FTE	5,903,401 81.99	5,903,401 81.99
0001	Food, fuel, pharmacy, treatment contracts.	Appropriation	0	11,223
0002	HITT Replacement with General Fund.	Appropriation	0	200,359
<u>Total Budget Unit Funding</u>		<u>Fiscal Year 2008 Estimated</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Appropriation		\$ 5,664,144	\$ 5,903,401	\$ 6,114,983
Salary Adjustment		239,257	0	0
Total Appropriations		<u>\$ 5,903,401</u>	<u>\$ 5,903,401</u>	<u>\$ 6,114,983</u>
Total FTE		81.99	81.99	81.99

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (200) Corrections, Department of
Budget Unit: (2230A130292) CBC District III - Tobacco
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recommendations
Base		Appropriation	200,359	0
		Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recommendations
<u>Total Budget Unit Funding</u>				
Appropriation		<u>\$ 200,359</u>	<u>\$ 200,359</u>	<u>\$ 0</u>

STATE OF IOWA

Fiscal Year 2009 Annual Budget

SPECIAL DEPARTMENT: (200) Corrections, Department of

Budget Unit: (2240A040001) CBC District IV

Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Base	Restoration package provides funding at 100% level for 4th district budget. This funding is for the requirements contained in the Code of Iowa.	Appropriation FTE	5,419,406 75.00	5,419,406 75.00
0001	Food, fuel, pharmacy, treatment contracts.	Appropriation	0	15,834
0002	HITT Replacement with General Fund.	Appropriation	0	291,731
<u>Total Budget Unit Funding</u>		<u>Fiscal Year 2008 Estimated</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Appropriation		\$ 5,079,664	\$ 5,419,406	\$ 5,726,971
Salary Adjustment		339,742	0	0
Total Appropriations		<u>\$ 5,419,406</u>	<u>\$ 5,419,406</u>	<u>\$ 5,726,971</u>
Total FTE		75.00	75.00	75.00

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (200) Corrections, Department of
Budget Unit: (2240A140292) CBC District IV - Tobacco
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recommendations
Base		Appropriation	291,731	0
		Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recommendations
<u>Total Budget Unit Funding</u>		<u>\$ 291,731</u>	<u>\$ 291,731</u>	<u>\$ 0</u>
Appropriation				

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (200) Corrections, Department of
Budget Unit: (2250A050001) CBC District V
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Base	The base budget is set at 100% of the General Fund budget. Programs kept intact are IPTR, PSI, Prob- ation/Parole, Residential and Work Release.	Appropriation FTE	18,401,004 279.12	18,401,004 279.12
0001	Food, fuel, pharmacy, treatment contracts.	Appropriation	0	51,165
0002	Sex Offender/HF619	Appropriation FTE	0 0.00	571,787 11.34
0003	Reentry One Stop Center-Of this amount, \$69,210 is one time costs.	Appropriation FTE	0 0.00	1,247,795 8.00
0004	HITT Replacement with General Fund.	Appropriation	0	355,693
<u>Total Budget Unit Funding</u>		<u>Fiscal Year 2008 Estimated</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Appropriation		\$ 17,115,974	\$ 18,401,003	\$ 20,627,443
Salary Adjustment		1,285,029	0	0
Total Appropriations		<u>\$ 18,401,003</u>	<u>\$ 18,401,003</u>	<u>\$ 20,627,443</u>
Total FTE		279.12	279.12	298.46

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (200) Corrections, Department of
Budget Unit: (2250A150292) CBC District V - Tobacco
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recommendations
Base		Appropriation	355,693	0
		Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recommendations
<u>Total Budget Unit Funding</u>				
Appropriation		<u>\$ 355,693</u>	<u>\$ 355,693</u>	<u>\$ 0</u>

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (200) Corrections, Department of
Budget Unit: (2260A060001) CBC District VI
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Base	Restoration package provides funding at 100% level for 6th district budget. This funding is for the requirements contained in the Code of Iowa.	Appropriation FTE	12,475,246 193.06	12,475,246 193.06
0001	Food, fuel, pharmacy, treatment contracts.	Appropriation	0	16,736
0002	Sex Offender/HF619	Appropriation FTE	0 0.00	121,206 2.00
0003	HITT Replacement with General Fund.	Appropriation	0	494,741
<u>Total Budget Unit Funding</u>		<u>Fiscal Year 2008 Estimated</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Appropriation		\$ 12,003,009	\$ 12,475,246	\$ 13,107,929
Salary Adjustment		672,237	0	0
Total Appropriations		<u>\$ 12,675,246</u>	<u>\$ 12,475,246</u>	<u>\$ 13,107,929</u>
Total FTE		<u>193.06</u>	<u>193.06</u>	<u>195.06</u>

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (200) Corrections, Department of
Budget Unit: (2260A160292) CBC District VI - Tobacco
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recommendations
Base		Appropriation	494,741	0
		Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recommendations
<u>Total Budget Unit Funding</u>		<u>\$ 494,741</u>	<u>\$ 494,741</u>	<u>\$ 0</u>
Appropriation				

STATE OF IOWA

Fiscal Year 2009 Annual Budget

SPECIAL DEPARTMENT: (200) Corrections, Department of

Budget Unit: (2270A070001) CBC District VII

Schedule 1

Rank	Description	Funding Source	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recommendations
Base	Restoration package provides funding at 100% level for 7th district budget. This funding is for the requirements contained in the Code of Iowa.	Appropriation FTE	7,020,794 105.45	7,020,794 105.45
0001	Food, fuel, pharmacy, treatment contracts.	Appropriation	0	32,866
0002	HITT Replacement with General Fund.	Appropriation	0	232,232
<u>Total Budget Unit Funding</u>		Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recommendations
Appropriation		\$ 6,713,412	\$ 7,020,794	\$ 7,285,892
Salary Adjustment		307,382	0	0
Total Appropriations		<u>\$ 7,020,794</u>	<u>\$ 7,020,794</u>	<u>\$ 7,285,892</u>
Total FTE		105.45	105.45	105.45

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (200) Corrections, Department of
Budget Unit: (2270A170292) CBC District VII - Tobacco
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recommendations
Base		Appropriation	232,232	0
		Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recommendations
<u>Total Budget Unit Funding</u>		<u>\$ 232,232</u>	<u>\$ 232,232</u>	<u>\$ 0</u>
Appropriation				

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (200) Corrections, Department of
Budget Unit: (2280A080001) CBC District VIII
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Base	Funds district at the 100% level.	Appropriation	6,998,544	6,998,544
		FTE	97.15	97.15
0001	Food, fuel, pharmacy, treatment contracts.	Appropriation	0	68,382
0002	Sex Offender/HF619	Appropriation	0	116,010
		FTE	0.00	2.00
0003	HITT Replacement with General Fund.	Appropriation	0	300,000
<u>Total Budget Unit Funding</u>		<u>Fiscal Year 2008 Estimated</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Appropriation		\$ 6,794,585	\$ 6,998,544	\$ 7,482,936
Salary Adjustment		203,959	0	0
Total Appropriations		<u>\$ 6,998,544</u>	<u>\$ 6,998,544</u>	<u>\$ 7,482,936</u>
Total FTE		97.15	97.15	99.15

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (200) Corrections, Department of
Budget Unit: (2280A180292) CBC District VIII - Tobacco
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recommendations
Base		Appropriation	300,000	0
		Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recommendations
<u>Total Budget Unit Funding</u>				
Appropriation		<u>\$ 300,000</u>	<u>\$ 300,000</u>	<u>\$ 0</u>

STATE OF IOWA

Fiscal Year 2009 Annual Budget

SPECIAL DEPARTMENT: (200) Corrections, Department of

Budget Unit: (2380A200001) Corrections Administration

Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Base	Restoration package provides funding at 100% level for administration. This funding is for the requirements in the FY2005 code of Iowa.	Appropriation FTE	5,050,732 47.18	5,050,732 47.18
<u>Total Budget Unit Funding</u>		<u>Fiscal Year 2008 Estimated</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Appropriation		\$ 4,855,626	\$ 5,050,732	\$ 5,050,732
Salary Adjustment		195,106	0	0
Total Appropriations		<u>\$ 5,050,732</u>	<u>\$ 5,050,732</u>	<u>\$ 5,050,732</u>
Total FTE		47.18	47.18	47.18

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (200) Corrections, Department of
Budget Unit: (2380A320001) Security Audits-GF
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
0001	Security Audits-GF	Appropriation	0	2,000,000
<u>Total Budget Unit Funding</u>		<u>Fiscal Year 2008 Estimated</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Appropriation		\$ 0	\$ 0	\$ 2,000,000

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (200) Corrections, Department of
Budget Unit: (2380A210001) Iowa Corrections Offender Network
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Base	Funding at 100% level for Iowa Corrections Offender Network.	Appropriation	427,700	427,700
<u>Total Budget Unit Funding</u>		Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recommendations
Appropriation		\$ 427,700	\$ 427,700	\$ 427,700

STATE OF IOWA

Fiscal Year 2009 Annual Budget

SPECIAL DEPARTMENT: (200) Corrections, Department of

Budget Unit: (2380A230943) Iowa Corrections Offender Network-Technology Reinvestment Fund

Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Base	Funding at a portion of the level for Iowa Corrections Offender Network.	Appropriation	500,000	500,000
<u>Total Budget Unit Funding</u>		<u>Fiscal Year 2008 Estimated</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Appropriation		\$ 500,000	\$ 500,000	\$ 500,000

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (200) Corrections, Department of
Budget Unit: (2380A240001) County Confinement
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Base	Funding at 100% level for temporary confinement of work release, parole violators, OWI offenders.	Appropriation	1,199,954	1,199,954
0001	Governor's reduction	Appropriation	0	-231,971
<u>Total Budget Unit Funding</u>		<u>Fiscal Year 2008 Estimated</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Appropriation		\$ 1,199,954	\$ 1,199,954	\$ 967,983

STATE OF IOWA

Fiscal Year 2009 Annual Budget

SPECIAL DEPARTMENT: (200) Corrections, Department of

Budget Unit: (2380A250001) Federal Prisoners/ Contractual

Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recommendations
Base	Funding at 100% level for Iowa prisoners housed in Federal prisons and for other contractual services.	Appropriation	241,293	241,293
<u>Total Budget Unit Funding</u>		Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recommendations
Appropriation		\$ 241,293	\$ 241,293	\$ 241,293

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (200) Corrections, Department of
Budget Unit: (2380A260001) Corrections Education
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Base	Funding at 100% level provides for a centrally administered comprehensive education program for Iowa's correctional institutions.	Appropriation	1,570,358	1,570,358
<u>Total Budget Unit Funding</u>		Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recommendations
Appropriation		<u>\$ 1,570,358</u>	<u>\$ 1,570,358</u>	<u>\$ 1,570,358</u>

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (200) Corrections, Department of
Budget Unit: (2380A270001) Hepatitis Treatment and Education
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recommendations
Base		Appropriation	188,000	188,000
		Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recommendations
<u>Total Budget Unit Funding</u>				
Appropriation		\$ 188,000	\$ 188,000	\$ 188,000

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (200) Corrections, Department of
Budget Unit: (2380A280001) Transitional Housing - Community Based
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recommendations
Base		Appropriation	30,000	30,000
		Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recommendations
<u>Total Budget Unit Funding</u>				
Appropriation		\$ 30,000	\$ 30,000	\$ 30,000

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (200) Corrections, Department of
Budget Unit: (2380A300001) Mental Health/Substance Abuse - Department-wide
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recommendations
Base		Appropriation	25,000	25,000
		Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recommendations
<u>Total Budget Unit Funding</u>				
Appropriation		\$ 25,000	\$ 25,000	\$ 25,000

STATE OF IOWA

Fiscal Year 2009 Annual Budget

SPECIAL DEPARTMENT: (200) Corrections, Department of

Budget Unit: (2420A400001) Fort Madison Institution

Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Base	Restoration package provides funding at 100% level for Fort Madison budget. This funding is for the requirements contained in the Code of Iowa.	Appropriation FTE	44,512,508 556.50	44,512,508 556.50
0001	Food, fuel, pharmacy, treatment contracts.	Appropriation	0	244,077
0002	HITT Replacement with General Fund.	Appropriation	0	1,497,285
<u>Total Budget Unit Funding</u>		<u>Fiscal Year 2008 Estimated</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Appropriation		\$ 43,008,741	\$ 44,512,509	\$ 46,253,871
Salary Adjustment		1,503,768	0	0
Total Appropriations		<u>\$ 44,512,509</u>	<u>\$ 44,512,509</u>	<u>\$ 46,253,871</u>
Total FTE		556.50	556.50	556.50

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (200) Corrections, Department of
Budget Unit: (2520A800001) Fort Dodge Institution
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Base	Restoration package provides funding at 100% level for Fort Dodge budget. This funding is for the requirements contained in the Code of Iowa.	Appropriation FTE	29,773,152 367.00	29,773,152 367.00
0001	Correctional Officer Distribution	Appropriation FTE	-58,030 -1.00	-58,030 -1.00
0002	Food, fuel, pharmacy, treatment contracts.	Appropriation	0	108,590
0003	Therapeutic Comm./One Stop Reentry. Of this amount, \$8,500 is one-costs.	Appropriation FTE	0 0.00	140,564 2.00
<u>Total Budget Unit Funding</u>		<u>Fiscal Year 2008 Estimated</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Appropriation		\$ 28,407,564	\$ 29,715,121	\$ 29,964,275
Salary Adjustment		1,365,587	0	0
Total Appropriations		<u>\$ 29,773,151</u>	<u>\$ 29,715,121</u>	<u>\$ 29,964,275</u>
Total FTE		367.00	366.00	368.00

STATE OF IOWA

Fiscal Year 2009 Annual Budget

SPECIAL DEPARTMENT: (200) Corrections, Department of

Budget Unit: (2420A410292) Fort Madison CCU - Tobacco

Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Base		Appropriation	1,497,285	0
		FTE	2.00	2.00
		<u>Fiscal Year 2008 Estimated</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
<u>Total Budget Unit Funding</u>		<u>\$ 1,497,285</u>	<u>\$ 1,497,285</u>	<u>\$ 0</u>
Appropriation				

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (200) Corrections, Department of
Budget Unit: (2430A450001) Anamosa Institution
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Base	Restoration package provides funding at 100% level for Anamosa budget. This funding is for the requirements contained in the Code of Iowa.	Appropriation FTE	30,656,614 347.50	30,656,614 347.50
0001	Food, fuel, pharmacy, treatment contracts.	Appropriation	0	283,188
0002	Grant Replacement	Appropriation FTE	0 0.00	238,252 4.75
<u>Total Budget Unit Funding</u>		<u>Fiscal Year 2008 Estimated</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Appropriation		\$ 29,762,656	\$ 30,656,614	\$ 31,178,054
Salary Adjustment		893,958	0	0
Total Appropriations		<u>\$ 30,656,614</u>	<u>\$ 30,656,614</u>	<u>\$ 31,178,054</u>
Total FTE		351.25	347.50	352.25

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (200) Corrections, Department of
Budget Unit: (2440A500001) Oakdale Institution
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Base	Restoration package provides funding at 100%level for Oakdale budget. This funding is for the requirements contained in the Code of Iowa.	Appropriation FTE	56,204,468 610.50	56,204,468 610.50
0001	Food, fuel, pharmacy, treatment contracts.	Appropriation	0	1,923,803
<u>Total Budget Unit Funding</u>		<u>Fiscal Year 2008 Estimated</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Appropriation		\$ 54,703,304	\$ 56,204,468	\$ 58,128,271
Salary Adjustment		1,501,164	0	0
Total Appropriations		<u>\$ 56,204,468</u>	<u>\$ 56,204,468</u>	<u>\$ 58,128,271</u>
Total FTE		610.50	610.50	610.50

STATE OF IOWA

Fiscal Year 2009 Annual Budget

SPECIAL DEPARTMENT: (200) Corrections, Department of

Budget Unit: (2450A550001) Newton Institution

Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Base	Restoration package provides funding at 100% level for Newton budget. This funding is for the requirements contained in the Code of Iowa.	Appropriation FTE	27,841,158 351.00	27,841,158 351.00
0001	Food, fuel, pharmacy, treatment contracts.	Appropriation FTE	0 0.50	137,783 0.50
<u>Total Budget Unit Funding</u>		<u>Fiscal Year 2008 Estimated</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Appropriation		\$ 26,950,784	\$ 27,841,158	\$ 27,978,941
Salary Adjustment		890,374	0	0
Total Appropriations		<u>\$ 27,841,158</u>	<u>\$ 27,841,158</u>	<u>\$ 27,978,941</u>
Total FTE		351.00	351.00	351.00

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (200) Corrections, Department of
Budget Unit: (2460A600001) Mount Pleasant Institution
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Base	Restoration package provides funding at 100% level for Mt. Pleasant budget. This funding is for the requirements contained in the Code of Iowa.	Appropriation FTE	26,331,092 315.56	26,331,092 315.56
0001	Food, fuel, pharmacy, treatment contracts.	Appropriation	0	296,008
0002	Sex Offender/HF619	Appropriation FTE	0 0.00	763,352 5.00
<u>Total Budget Unit Funding</u>		<u>Fiscal Year 2008 Estimated</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Appropriation		\$ 25,384,926	\$ 26,331,092	\$ 27,390,452
Salary Adjustment		946,166	0	0
Total Appropriations		<u>\$ 26,331,092</u>	<u>\$ 26,331,092</u>	<u>\$ 27,390,452</u>
Total FTE		314.56	315.56	320.56

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (200) Corrections, Department of
Budget Unit: (2470A650001) Rockwell City Institution
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Base	Restoration package provides funding at 100% level for Rockwell City.	Appropriation FTE	9,108,454 112.00	9,108,454 112.00
0001	Correctional Officer Distribution	Appropriation FTE	58,030 1.00	58,030 1.00
0002	Food, fuel, pharmacy, treatment contracts.	Appropriation	0	96,201
<u>Total Budget Unit Funding</u>		<u>Fiscal Year 2008 Estimated</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Appropriation		\$ 8,706,242	\$ 9,166,484	\$ 9,262,685
Salary Adjustment		402,212	0	0
Total Appropriations		<u>\$ 9,108,454</u>	<u>\$ 9,166,484</u>	<u>\$ 9,262,685</u>
Total FTE		<u>112.00</u>	<u>113.00</u>	<u>113.00</u>

STATE OF IOWA

Fiscal Year 2009 Annual Budget

SPECIAL DEPARTMENT: (200) Corrections, Department of

Budget Unit: (2480A700001) Clarinda Institution

Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Base	Restoration package provides funding at 100% level for Clarinda budget. This funding is for the requirements contained in the Code of Iowa.	Appropriation FTE	25,078,364 303.20	25,078,364 303.20
0001	Food, fuel, pharmacy, treatment contracts.	Appropriation	0	129,100
<u>Total Budget Unit Funding</u>		<u>Fiscal Year 2008 Estimated</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Appropriation		\$ 24,099,579	\$ 25,078,365	\$ 25,207,465
Salary Adjustment		978,786	0	0
Total Appropriations		<u>\$ 25,078,365</u>	<u>\$ 25,078,365</u>	<u>\$ 25,207,465</u>
Total FTE		303.20	303.20	303.20

STATE OF IOWA

Fiscal Year 2009 Annual Budget

SPECIAL DEPARTMENT: (200) Corrections, Department of

Budget Unit: (2490A750001) Mitchellville Institution

Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Base	Restoration package provides funding at 100% level for Mitchellville. This funding is for the requirements contained in the Code of Iowa.	Appropriation FTE	15,878,663 198.00	15,878,663 198.00
0001	Food, fuel, pharmacy, treatment contracts.	Appropriation FTE	0 84.34	57,105 84.34
<u>Total Budget Unit Funding</u>		<u>Fiscal Year 2008 Estimated</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Appropriation		\$ 15,294,520	\$ 15,878,663	\$ 15,935,768
Salary Adjustment		584,143	0	0
Total Appropriations		<u>\$ 15,878,663</u>	<u>\$ 15,878,663</u>	<u>\$ 15,935,768</u>
Total FTE		198.00	198.00	198.00

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (750) Public Defense, Department of
Budget Unit: (5820R310001) Public Defense, Department of
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Base	Funding for minimal operations of the Military Division. At this level the Division may not be able to meet it's Code mandated missions.	Appropriation FTE	6,311,985 299.35	6,311,985 299.35
0001	FY09 Costs Open Camp Dodge Readiness Center	Appropriation FTE	0 0.00	92,813 4.50
<u>Total Budget Unit Funding</u>		<u>Fiscal Year 2008 Estimated</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Appropriation		\$ 6,003,767	\$ 6,311,985	\$ 6,404,798
Salary Adjustment		308,218	0	0
Total Appropriations		<u>\$ 6,311,985</u>	<u>\$ 6,311,985</u>	<u>\$ 6,404,798</u>
Total FTE		306.43	299.35	303.85

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (750) Public Defense, Department of
Budget Unit: (5820R320001) Civil Air Patrol
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Base	Civil Air Patrol ongoing training and education for effective preparedness and response to emergencies and other missions the National Guard, Dept of Homeland Security Emergency Mangement, or other State agencies may task the Iowa-Wing - Civil Air Patrol.	Appropriation FTE	120,000 2.00	0 2.00
<u>Total Budget Unit Funding</u>		<u>Fiscal Year 2008 Estimated</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Appropriation		\$ 120,000	\$ 120,000	\$ 0

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (750) Public Defense, Department of
Budget Unit: (5830R400001) Homeland Security and Emergency Management Division
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Base	Funding at this level will allow the Division to provide continued homeland security and emergency management activities.	Appropriation FTE	2,271,581 35.00	2,271,581 35.00
<u>Total Budget Unit Funding</u>		<u>Fiscal Year 2008 Estimated</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Appropriation		\$ 2,101,033	\$ 2,271,581	\$ 2,271,581
Salary Adjustment		170,548	0	0
Total Appropriations		<u>\$ 2,271,581</u>	<u>\$ 2,271,581</u>	<u>\$ 2,271,581</u>
Total FTE		35.10	35.00	35.00

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (770) Public Safety, Department of
Budget Unit: (5950R640001) Public Safety Administration
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Base	Funding at restoration level to pay all operating costs of the division.	Appropriation FTE	4,180,033 37.00	4,180,033 37.00
0001	Reallocate the funding for the CALEA Accreditation Coordinator from the Division of Criminal Investigation to the Commissioner's Office.	Appropriation FTE	83,002 1.00	83,002 1.00
0002	Reallocation of support from the enforcement divisions to the Finance Bureau in support of the Finance Bureau Chief position.	Appropriation	127,120	127,120
0003	To reallocate resources in support of a new position in the Technology Services Bureau dedicated to the creation maintenance of database applications in the Department.	Appropriation FTE	65,426 1.00	65,426 1.00
<u>Total Budget Unit Funding</u>		<u>Fiscal Year 2008 Estimated</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Appropriation		\$ 4,097,900	\$ 4,455,581	\$ 4,455,581
Salary Adjustment		82,133	0	0
Total Appropriations		<u>\$ 4,180,033</u>	<u>\$ 4,455,581</u>	<u>\$ 4,455,581</u>
Total FTE		<u>37.00</u>	<u>39.00</u>	<u>39.00</u>

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (770) Public Safety, Department of
Budget Unit: (5950R670001) Public Safety Division of Criminal Investigation
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Base	At the restoration level of funding.	Appropriation	21,729,482	21,729,482
		FTE	289.50	289.50
0001	Reallocate resources to the Administrative Services Division in support of the Finance Bureau, Technology Services and the Commissioner's Office.	Appropriation	-111,477	-111,477
0002	Reallocate funds in support of a database application position in the Technology Services Bureau of Administrative Services.	Appropriation	-11,777	-11,777
		FTE	0.00	1.00
0004	Reduction due to the Fort Madison Riverboat closure and one time reductions due to FY2008 facility expansion at Burlington.	Appropriation	0	-425,108
		FTE	0.00	-6.00
0005	Cold Case Unit - Federal Funding. Adds one new criminalist and one new special agent.	FTE	0.00	2.00
0006	Fuel Increase, budgeted to \$2.13 per gallon net of taxes.	Appropriation	0	64,622
		FTE	0.00	1.00

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (770) Public Safety, Department of
Budget Unit: (5950R670001) Public Safety Division of Criminal Investigation
Schedule 1

	Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recommendations
<u>Total Budget Unit Funding</u>			
Appropriation	\$ 20,512,962	\$ 21,606,228	\$ 21,245,742
Salary Adjustment	1,216,520	0	0
Total Appropriations	<u>\$ 21,729,482</u>	<u>\$ 21,606,228</u>	<u>\$ 21,245,742</u>
Total FTE	289.50	289.50	287.50

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (770) Public Safety, Department of
Budget Unit: (5950R680001) DCI - Crime Lab Equipment/Training
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Base	At the restoration level of funding.	Appropriation	342,000	342,000
<u>Total Budget Unit Funding</u>		<u>Fiscal Year 2008 Estimated</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Appropriation		\$ 342,000	\$ 342,000	\$ 342,000

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (770) Public Safety, Department of
Budget Unit: (5950R690001) Public Safety Undercover Funds
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Base	At the restoration level funding.	Appropriation	123,343	123,343
<u>Total Budget Unit Funding</u>		<u>Fiscal Year 2008 Estimated</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Appropriation		\$ 123,343	\$ 123,343	\$ 123,343

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (770) Public Safety, Department of
Budget Unit: (5950R700001) Narcotics Enforcement
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Base	At the restoration level of funding.	Appropriation	6,315,289	6,315,289
		FTE	82.00	82.00
0001	Reallocate resources to the Administrative Services Division in support of the Finance Bureau, Technology Services	Appropriation	-13,243	-13,243
0002	Fuel Increase, budgeted to \$2.13 per gallon net of taxes.	Appropriation	0	33,476
		<u>Fiscal Year 2008 Estimated</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
<u>Total Budget Unit Funding</u>				
Appropriation		\$ 5,963,415	\$ 6,302,046	\$ 6,335,522
Salary Adjustment		351,874	0	0
Total Appropriations		<u>\$ 6,315,289</u>	<u>\$ 6,302,046</u>	<u>\$ 6,335,522</u>
Total FTE		82.00	82.00	82.00

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (770) Public Safety, Department of
Budget Unit: (5950R720001) DPS Fire Marshal
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Base	At the restoration level of funding.	Appropriation	3,328,952	3,328,952
		FTE	47.00	47.00
0001	Reallocate resources to the Administrative Services Division in support of the Finance Bureau, Technology Services.	Appropriation	-7,066	-7,066
0002	Merge the appropriation for Fire Service Training Bureau into the State Fire Marshal's Office to provide fiscal flexibility for FSTB.	Appropriation	836,508	836,508
		FTE	10.00	10.00
0003	Above Ground Storage Tanks. This package provides for one new Fire Inspector dedicated to the inspection of above ground storage tanks of flammable liquids. The resources for the new position are contingent upon an increase in the above ground storage tank registration fee to \$25.	FTE	0.00	1.00

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (770) Public Safety, Department of
Budget Unit: (5950R720001) DPS Fire Marshal
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
0004	Building Code-Assisted Living. This package will transfer the Assisted Living plan review and inspection function from DIA to the State Fire Marshal's Office. The position associated with this package will focus on the plan reviews and state building code inspectors will conduct the compliance inspections.	FTE	0.00	1.00
0005	This package will transfer the nursing home plan review and inspection function from DIA to the State Fire Marshal's Office. The position associated with this package will focus on the plan reviews and state fire inspectors will conduct the compliance inspections.	FTE	0.00	1.00
0006	Fuel Increase, budgeted to \$2.13 per gallon net of taxes.	Appropriation	0	24,154
<u>Total Budget Unit Funding</u>		<u>Fiscal Year 2008 Estimated</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Appropriation		\$ 3,157,454	\$ 4,158,394	\$ 4,182,548
Salary Adjustment		171,498	0	0
Total Appropriations		<u>\$ 3,328,952</u>	<u>\$ 4,158,394</u>	<u>\$ 4,182,548</u>
Total FTE		47.00	57.00	60.00

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (770) Public Safety, Department of
Budget Unit: (5950R750001) Iowa State Patrol
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Base	At the restoration level of funding.	Appropriation	50,210,760	50,210,760
		FTE	535.00	535.00
0001	Reallocate resources to the Administrative Services Division in support of the Finance Bureau, Technology Services.	Appropriation	-131,985	-131,985
0002	One time plane purchase reduction	Appropriation	0	-300,000
0003	ISP Overtime	Appropriation	0	350,000
0004	Fuel Increase, budgeted to \$2.13 per gallon net of taxes.	Appropriation	0	104,748
<u>Total Budget Unit Funding</u>		<u>Fiscal Year 2008 Estimated</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Appropriation		\$ 48,126,059	\$ 50,078,777	\$ 50,233,525
Salary Adjustment		2,084,703	0	0
Total Appropriations		<u>\$ 50,210,762</u>	<u>\$ 50,078,777</u>	<u>\$ 50,233,525</u>
Total FTE		535.00	535.00	535.00

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (770) Public Safety, Department of
Budget Unit: (5950R760001) DPS/SPOC Sick Leave Payout
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Base	Restoration funding.	Appropriation	316,179	316,179
<u>Total Budget Unit Funding</u>		<u>Fiscal Year 2008 Estimated</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Appropriation		\$ 316,179	\$ 316,179	\$ 316,179

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (770) Public Safety, Department of
Budget Unit: (5950R830001) Fire Service
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Base	At the restoration level.	Appropriation	836,508	836,508
		FTE	10.00	10.00
0001	Merge the appropriation for Fire Service Training Bureau into the State Fire Marshal's Office to provide fiscal flexibility for FSTB.	Appropriation	-836,508	-836,508
		FTE	-10.00	-10.00
<u>Total Budget Unit Funding</u>		<u>Fiscal Year 2008 Estimated</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Appropriation		\$ 804,110	\$ 0	\$ 0
Salary Adjustment		32,398	0	0
Total Appropriations		<u>\$ 836,508</u>	<u>\$ 0</u>	<u>\$ 0</u>
Total FTE		<u>10.00</u>	<u>0.00</u>	<u>0.00</u>

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (770) Public Safety, Department of
Budget Unit: (5950R820001) Fire Fighter Training
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Base	Maintain the current level of assistance to local volunteer firefighter departments and firefighters.	Appropriation	699,587	699,587
<u>Total Budget Unit Funding</u>		<u>Fiscal Year 2008 Estimated</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Appropriation		<u>\$ 699,587</u>	<u>\$ 699,587</u>	<u>\$ 699,587</u>

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (560) Law Enforcement Academy
Budget Unit: (4670R010001) Iowa Law Enforcement Academy
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Base	This appropriation funds fifty percent of the costs of the basic academy training for law enforcement, costs for regulatory activities, certification and decertification of law enforcement officers.	Appropriation FTE	1,289,562 30.05	1,289,562 30.05
0001	Governors 1/2 percent GF reduction/offset	Appropriation	0	-6,447
<u>Total Budget Unit Funding</u>		<u>Fiscal Year 2008 Estimated</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Appropriation		\$ 1,218,985	\$ 1,289,562	\$ 1,283,115
Salary Adjustment		70,577	0	0
Total Appropriations		<u>\$ 1,289,562</u>	<u>\$ 1,289,562</u>	<u>\$ 1,283,115</u>
Total FTE		30.05	30.05	30.05

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (540) Judicial Branch
Budget Unit: (4440B200001) Judicial Branch
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Base	This appropriation funds the operations of the entire Judicial Branch and the functions of the state court system.	Appropriation FTE	144,945,328 2,007.05	144,945,328 2,007.05
0001	Funding is requested for 17 new positions. Nine juvenile court officers, one juvenile court technician, one juvenile court coordinator, two case coordinators, two court attendants, one district associate judge and one court reporter to handle the growing demands in juvenile court and meet new federal reporting requirements.	Appropriation FTE	1,012,904 16.75	1,012,904 16.75
0002	Request funding for an additional district court judge, a court reporter and court attendant.	Appropriation FTE	231,128 2.75	231,128 2.75
0003	Request funding for a seven additional staff to help implement the business plan that will move the judicial branch from a paper based filing and records management system to an electronic environment.	Appropriation FTE	431,386 7.00	431,386 7.00
0004	Request funding for an education specialist and money for training programs for all employees in the court system.	Appropriation FTE	224,818 1.00	224,818 1.00

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (540) Judicial Branch
Budget Unit: (4440B200001) Judicial Branch
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
0005	Request funds to hire two attorneys to assist with the supreme court's statewide governance and policy development responsibilities, the scope of which have increased dramatically since the state assumed funding for the operation of the court system. These attorneys would assist with the implementation of policy decisions by the supreme court and the judicial council. In particular, they would assist with the development, drafting and promulgation of court rules and forms, including pro se forms; staff court advisory committees; assist with drafting and analyzing proposed legislation affecting the administration of the state court system; and respond to public inquires.	Appropriation FTE	132,384 2.00	132,384 2.00
0006	Request funding for 23.25 additional staff. These additional people will help provide support for judicial officers and clerk of court offices. Also four additional law clerks are requested for the court of appeals.	Appropriation FTE	990,228 23.25	990,228 23.25

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (540) Judicial Branch
Budget Unit: (4440B200001) Judicial Branch
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
0007	Request funding for various furniture and equipment needs in the courthouses thruout the state. Several counties have overcrowding and facility condition problems which are being addressed by the local county governments. It is the Courts responsiblity to furnish and equip these offices. We also have several offices that are in need of replacement filing systems, copiers and workstations.	Appropriation	775,000	775,000
0008	Request funding for a records management consultant and money to archive official court records filed in the clerk of court offices located in county courthouses.	Appropriation	550,000	550,000
0009	Request funding for sound and recording equipment systems for numerous courtrooms in the state. Also request funding to translate various forms and signs to other languages. Funding for a language interpreter and miscellaneous interpreter cost are requested.	Appropriation FTE	967,000 1.00	967,000 1.00

STATE OF IOWA

Fiscal Year 2009 Annual Budget

SPECIAL DEPARTMENT: (540) Judicial Branch

Budget Unit: (4440B200001) Judicial Branch

Schedule 1

	Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recommendations
<u>Total Budget Unit Funding</u>			
Appropriation	\$ 138,174,074	\$ 150,260,170	\$ 150,260,170
Salary Adjustment	6,771,248	0	0
Total Appropriations	<u>\$ 144,945,322</u>	<u>\$ 150,260,170</u>	<u>\$ 150,260,170</u>
Total FTE	2,003.10	2,060.80	2,060.80

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (540) Judicial Branch
Budget Unit: (4440B260001) Judicial Retirement
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recommendations
Base		Appropriation	3,450,963	3,450,963
0001	This request funds the state share for the judicial retirement system pursuant to Iowa code section 602.9104(4)(e)(1).	Appropriation	4,174,663	4,174,663
<u>Total Budget Unit Funding</u>		Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recommendations
Appropriation		\$ 3,450,963	\$ 7,625,626	\$ 7,625,626

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (495) Inspections & Appeals, Department of
Budget Unit: (4280Q600001) Public Defender
Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Base	Restore FTE and support to provide legal representation to indigent persons	Appropriation FTE	21,749,296 202.00	21,749,296 202.00
0001	Add one FTE to replace temporary contract workers for entry of indigent defense claims. No new funding.	FTE	1.00	1.00
<u>Total Budget Unit Funding</u>		<u>Fiscal Year 2008 Estimated</u>	<u>Fiscal Year 2009 Department Request</u>	<u>Fiscal Year 2009 Governor's Recommendations</u>
Appropriation		\$ 20,845,271	\$ 21,749,296	\$ 21,749,296
Salary Adjustment		904,025	0	0
Total Appropriations		<u>\$ 21,749,296</u>	<u>\$ 21,749,296</u>	<u>\$ 21,749,296</u>
Total FTE		202.00	203.00	203.00

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (090) Attorney General
Budget Unit: (11200000387) Fine Paper Anti Trust Fund
Schedule 6

	Fiscal Year 2007 Actual	Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recomm
Resources				
Other Resources				
Balance Brought Forward (Funds)	\$ 347,522	\$ 218,620	\$ 132,887	\$ 31,778
Receipts				
Interest	0	7,000	1,000	1,000
Refunds & Reimbursements	71,098	50,000	50,000	151,109
	<u>71,098</u>	<u>57,000</u>	<u>51,000</u>	<u>152,109</u>
Total Resources	<u>\$ 418,620</u>	<u>\$ 275,620</u>	<u>\$ 183,887</u>	<u>\$ 183,887</u>
Disposition of Resources				
Professional & Scientific Services	\$ 5,165	\$ 14,500	\$ 14,500	\$ 14,500
Intra-State Transfers	35,168	35,500	35,500	35,500
Attorney General Reimbursements	159,667	193,842	108,720	108,720
Balance Carry Forward (Funds)	218,620	31,778	25,167	25,167
Total Disposition of Resources	<u>\$ 418,620</u>	<u>\$ 275,620</u>	<u>\$ 183,887</u>	<u>\$ 183,887</u>

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (090) Attorney General
Budget Unit: (11200000088) Consumer Education Fund
Schedule 6

	Fiscal Year 2007 Actual	Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recomm
Resources				
Other Resources				
Balance Brought Forward (Funds)	\$ 3,565,432	\$ 3,781,541	\$ 2,906,441	\$ 2,906,441
Receipts				
Interest	180,129	100,000	100,000	100,000
Refunds & Reimbursements	943,017	225,000	225,000	225,000
	<u>1,123,146</u>	<u>325,000</u>	<u>325,000</u>	<u>325,000</u>
Total Resources	<u>\$ 4,688,578</u>	<u>\$ 4,106,541</u>	<u>\$ 3,231,441</u>	<u>\$ 3,231,441</u>
Disposition of Resources				
Attorney General Reimbursements	\$ 907,038	\$ 1,200,000	\$ 1,200,000	\$ 1,200,000
Refunds-Other	0	100	100	100
Balance Carry Forward (Funds)	<u>3,781,541</u>	<u>2,906,441</u>	<u>2,031,341</u>	<u>2,031,341</u>
Total Disposition of Resources	<u>\$ 4,688,578</u>	<u>\$ 4,106,541</u>	<u>\$ 3,231,441</u>	<u>\$ 3,231,441</u>

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (090) Attorney General
Budget Unit: (11200000822) Consumer Fraud Refunds Fund
Schedule 6

	Fiscal Year 2007 Actual	Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recomm
Resources				
Other Resources				
Balance Brought Forward (Funds)	\$ 1,313,309	\$ 1,177,778	\$ 1,024,837	\$ 1,025,008
Receipts				
Refunds & Reimbursements	300,650	100,000	100,000	100,000
Total Resources	<u>\$ 1,613,959</u>	<u>\$ 1,277,778</u>	<u>\$ 1,124,837</u>	<u>\$ 1,125,008</u>
Disposition of Resources				
Professional & Scientific Services	\$ 0	\$ 10,000	\$ 10,000	\$ 10,000
Intra-State Transfers	0	1,000	1,000	1,000
Attorney General Reimbursements	218,302	151,770	10,000	10,000
Refunds-Other	217,879	90,000	90,000	90,000
Balance Carry Forward (Funds)	1,177,778	1,025,008	1,013,837	1,014,008
Total Disposition of Resources	<u>\$ 1,613,959</u>	<u>\$ 1,277,778</u>	<u>\$ 1,124,837</u>	<u>\$ 1,125,008</u>

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (090) Attorney General
Budget Unit: (11200000373) Elderly Victims Fraud Fund
Schedule 6

	Fiscal Year 2007 Actual	Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recomm
Resources				
Other Resources				
Balance Brought Forward (Funds)	\$ 827,560	\$ 559,992	\$ 190,802	\$ 190,802
Receipts				
Refunds & Reimbursements	26,000	50,000	50,000	50,000
Total Resources	<u>\$ 853,560</u>	<u>\$ 609,992</u>	<u>\$ 240,802</u>	<u>\$ 240,802</u>
Disposition of Resources				
Attorney General Reimbursements	\$ 286,996	\$ 409,190	\$ 230,802	\$ 230,802
Other Expense & Obligations	6,572	10,000	10,000	10,000
Balance Carry Forward (Funds)	559,992	190,802	0	0
Total Disposition of Resources	<u>\$ 853,560</u>	<u>\$ 609,992</u>	<u>\$ 240,802</u>	<u>\$ 240,802</u>

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (090) Attorney General
Budget Unit: (11200000424) Forfeited Property
Schedule 6

	Fiscal Year 2007 Actual	Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recomm
Resources				
Other Resources				
Balance Brought Forward (Funds)	\$ 1,036,876	\$ 1,327,300	\$ 1,210,300	\$ 1,210,300
Receipts				
Refunds & Reimbursements	303,113	200,000	200,000	200,000
Total Resources	<u>\$ 1,339,988</u>	<u>\$ 1,527,300</u>	<u>\$ 1,410,300</u>	<u>\$ 1,410,300</u>
Disposition of Resources				
Professional & Scientific Services	\$ 2,543	\$ 1,500	\$ 1,500	\$ 1,500
Attorney General Reimbursements	0	300,000	300,000	300,000
Refunds-Other	756	2,000	2,000	2,000
State Aid	9,390	13,500	13,500	13,500
Balance Carry Forward (Funds)	1,327,300	1,210,300	1,093,300	1,093,300
Total Disposition of Resources	<u>\$ 1,339,988</u>	<u>\$ 1,527,300</u>	<u>\$ 1,410,300</u>	<u>\$ 1,410,300</u>

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (200) Corrections, Department of
Budget Unit: (24600000453) Mount Pleasant Canteen Fund
Schedule 6

	Fiscal Year 2007 Actual	Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recomm
Resources				
Other Resources				
Balance Brought Forward (Funds)	\$ 196,559	\$ 228,974	\$ 225,000	\$ 254,549
Receipts				
Other Sales & Services	226,105	225,000	225,000	225,000
Total Resources	<u>\$ 422,664</u>	<u>\$ 453,974</u>	<u>\$ 450,000</u>	<u>\$ 479,549</u>
FTE	<u>0.50</u>	<u>0.50</u>	<u>0.50</u>	<u>0.50</u>
Disposition of Resources				
Personal Services-Salaries	\$ 27,871	\$ 29,025	\$ 29,025	\$ 29,025
Other Supplies	142,335	150,000	150,000	150,000
Intra-State Transfers	20,000	100	100	100
Reimbursement to Other Agencies	0	100	100	100
ITS Reimbursements	0	100	100	100
Equipment	0	10,000	10,000	10,000
Office Equipment	3,483	0	0	0
Equipment - Non-Inventory	0	10,000	10,000	10,000
IT Equipment	0	100	100	100
Balance Carry Forward (Funds)	228,974	254,549	250,575	280,124
Total Disposition of Resources	<u>\$ 422,664</u>	<u>\$ 453,974</u>	<u>\$ 450,000</u>	<u>\$ 479,549</u>

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (200) Corrections, Department of
Budget Unit: (24400000337) Oakdale Canteen Fund
Schedule 6

	Fiscal Year 2007 Actual	Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recomm
Resources				
Other Resources				
Balance Brought Forward (Funds)	\$ 8,426	\$ 35,392	\$ 2,101	\$ 33,291
Adjustment to Balance Forward	67	0	0	0
	<u>8,493</u>	<u>35,392</u>	<u>2,101</u>	<u>33,291</u>
Receipts				
Other Sales & Services	121,511	506,845	506,845	506,845
Total Resources	<u>\$ 130,004</u>	<u>\$ 542,237</u>	<u>\$ 508,946</u>	<u>\$ 540,136</u>
 FTE	 <u>0.00</u>	 <u>1.00</u>	 <u>1.00</u>	 <u>1.00</u>
Disposition of Resources				
Personal Services-Salaries	\$ 0	\$ 42,859	\$ 42,859	\$ 42,859
Office Supplies	7,286	250	250	250
Other Supplies	86,307	420,002	420,002	420,002
Utilities	0	1,500	1,500	1,500
Equipment	92	41,235	41,235	41,235
Other Expense & Obligations	927	3,000	3,000	3,000
Licenses	0	100	100	100
Balance Carry Forward (Funds)	35,392	33,291	0	31,190
Total Disposition of Resources	<u>\$ 130,004</u>	<u>\$ 542,237</u>	<u>\$ 508,946</u>	<u>\$ 540,136</u>

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (200) Corrections, Department of
Budget Unit: (24700000336) Rockwell City Canteen Fund
Schedule 6

	Fiscal Year 2007 Actual	Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recomm
Resources				
Other Resources				
Balance Brought Forward (Funds)	\$ 147,903	\$ 129,489	\$ 140,000	\$ 75,489
Receipts				
Other Sales & Services	38,405	16,000	16,000	16,000
Total Resources	<u>\$ 186,308</u>	<u>\$ 145,489</u>	<u>\$ 156,000</u>	<u>\$ 91,489</u>
Disposition of Resources				
Office Supplies	\$ 503	\$ 10,000	\$ 10,000	\$ 10,000
Facility Maintenance Supplies	20,582	10,000	10,000	10,000
Housing & Subsistence Supplies	3,348	10,000	10,000	10,000
Other Supplies	16,723	10,000	10,000	10,000
Outside Repairs/Service	191	10,000	10,000	10,000
Reimbursement to Other Agencies	5,000	10,000	10,000	10,000
Equipment - Non-Inventory	10,472	10,000	10,000	10,000
Balance Carry Forward (Funds)	129,489	75,489	86,000	21,489
Total Disposition of Resources	<u>\$ 186,308</u>	<u>\$ 145,489</u>	<u>\$ 156,000</u>	<u>\$ 91,489</u>

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (200) Corrections, Department of
Budget Unit: (24300000334) Anamosa Canteen Fund
Schedule 6

	Fiscal Year 2007 Actual	Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recomm
Resources				
Other Resources				
Balance Brought Forward (Funds)	\$ 129,720	\$ 193,835	\$ 129,720	\$ 193,835
Receipts				
Intra State Receipts	0	100	100	100
Interest	75	300	300	300
Other Sales & Services	411,036	457,944	457,944	457,944
	411,111	458,344	458,344	458,344
Total Resources	<u>\$ 540,831</u>	<u>\$ 652,179</u>	<u>\$ 588,064</u>	<u>\$ 652,179</u>
 FTE	 <u>1.02</u>	 <u>2.00</u>	 <u>2.00</u>	 <u>2.00</u>
Disposition of Resources				
Personal Services-Salaries	\$ 72,290	\$ 114,044	\$ 114,044	\$ 114,044
Office Supplies	2,522	2,200	2,200	2,200
Facility Maintenance Supplies	0	500	500	500
Housing & Subsistence Supplies	0	200	0	0
Other Supplies	260,527	329,760	329,960	329,960
Uniforms & Related Items	304	300	300	300
Outside Services	0	200	200	200
Outside Repairs/Service	651	1,500	1,500	1,500
Data Processing	0	100	100	100
Reimbursement to Other Agencies	41	24	24	24
ITS Reimbursements	2	16	16	16
Equipment	0	1,500	1,500	1,500
Office Equipment	0	100	100	100
Equipment - Non-Inventory	3,546	100	100	100

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (200) Corrections, Department of
Budget Unit: (24300000334) Anamosa Canteen Fund
Schedule 6

	Fiscal Year 2007 Actual	Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recomm
Disposition of Resources (cont.)				
Other Expense & Obligations	7,113	7,800	7,800	7,800
Balance Carry Forward (Funds)	193,835	193,835	129,720	193,835
Total Disposition of Resources	<u>\$ 540,831</u>	<u>\$ 652,179</u>	<u>\$ 588,064</u>	<u>\$ 652,179</u>

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (200) Corrections, Department of
Budget Unit: (24800000464) Clarinda Canteen Fund
Schedule 6

	Fiscal Year 2007 Actual	Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recomm
Resources				
Other Resources				
Balance Brought Forward (Funds)	\$ 9,136	\$ 35,237	\$ 9,136	\$ 35,237
Receipts				
Other Sales & Services	78,435	80,000	80,000	80,000
Total Resources	<u>\$ 87,571</u>	<u>\$ 115,237</u>	<u>\$ 89,136</u>	<u>\$ 115,237</u>
Disposition of Resources				
Office Supplies	\$ 4,951	\$ 5,000	\$ 5,000	\$ 5,000
Housing & Subsistence Supplies	0	5,000	5,000	5,000
Other Supplies	11,886	20,000	20,000	20,000
Communications	35,497	20,000	20,000	20,000
Outside Services	0	4,000	4,000	4,000
Equipment	0	20,000	20,000	20,000
Office Equipment	0	5,000	5,000	5,000
Other Expense & Obligations	0	1,000	1,000	1,000
Balance Carry Forward (Funds)	35,237	35,237	9,136	35,237
Total Disposition of Resources	<u>\$ 87,571</u>	<u>\$ 115,237</u>	<u>\$ 89,136</u>	<u>\$ 115,237</u>

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (200) Corrections, Department of
Budget Unit: (25200000343) Fort Dodge Canteen Fund
Schedule 6

	Fiscal Year 2007 Actual	Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recomm
Resources				
Other Resources				
Balance Brought Forward (Funds)	\$ 352,016	\$ 285,536	\$ 289,854	\$ 0
Receipts				
Other Sales & Services	251,476	248,500	248,500	248,500
Total Resources	<u>\$ 603,492</u>	<u>\$ 534,036</u>	<u>\$ 538,354</u>	<u>\$ 248,500</u>
Disposition of Resources				
Office Supplies	\$ 25,801	\$ 30,000	\$ 30,000	\$ 30,000
Facility Maintenance Supplies	1,192	500	500	500
Equipment Maintenance Supplies	1,132	1,000	1,000	1,000
Professional & Scientific Supplies	11,709	5,000	5,000	5,000
Housing & Subsistence Supplies	12,935	13,000	13,000	13,000
Ag., Conservation & Horticulture Supply	83	500	500	500
Other Supplies	103,024	110,536	114,854	25,000
Professional & Scientific Services	33,901	33,400	0	0
Outside Services	24,737	239,282	277,000	77,000
Intra-State Transfers	80,000	80,000	80,000	80,000
Outside Repairs/Service	110	5,318	1,000	1,000
Equipment	12,587	2,000	2,000	2,000
Office Equipment	0	500	500	500
Equipment - Non-Inventory	7,533	10,000	10,000	10,000
Licenses	3,212	3,000	3,000	3,000
Balance Carry Forward (Funds)	285,536	0	0	0
Total Disposition of Resources	<u>\$ 603,492</u>	<u>\$ 534,036</u>	<u>\$ 538,354</u>	<u>\$ 248,500</u>

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (200) Corrections, Department of
Budget Unit: (24200000333) Fort Madison Canteen Fund
Schedule 6

	Fiscal Year 2007 Actual	Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recomm
Resources				
Other Resources				
Balance Brought Forward (Funds)	\$ 33,388	\$ 14,940	\$ 33,388	\$ 14,940
Receipts				
Refunds & Reimbursements	65,616	20,000	20,000	20,000
Other Sales & Services	11,662	97,000	97,000	97,000
	<u>77,278</u>	<u>117,000</u>	<u>117,000</u>	<u>117,000</u>
Total Resources	<u>\$ 110,666</u>	<u>\$ 131,940</u>	<u>\$ 150,388</u>	<u>\$ 131,940</u>
Disposition of Resources				
Office Supplies	\$ 397	\$ 500	\$ 500	\$ 500
Other Supplies	81,094	101,500	101,500	101,500
Communications	14,235	15,000	15,000	15,000
Balance Carry Forward (Funds)	14,940	14,940	33,388	14,940
Total Disposition of Resources	<u>\$ 110,666</u>	<u>\$ 131,940</u>	<u>\$ 150,388</u>	<u>\$ 131,940</u>

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (200) Corrections, Department of
Budget Unit: (24500000338) Newton Canteen Fund
Schedule 6

	Fiscal Year 2007 Actual	Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recomm
Resources				
Other Resources				
Balance Brought Forward (Funds)	\$ 360,657	\$ 426,465	\$ 357,957	\$ 426,465
Receipts				
Other Sales & Services	130,084	72,301	72,301	72,301
Total Resources	<u>\$ 490,741</u>	<u>\$ 498,766</u>	<u>\$ 430,258</u>	<u>\$ 498,766</u>
Disposition of Resources				
Office Supplies	\$ 8,047	\$ 1,000	\$ 1,000	\$ 1,000
Facility Maintenance Supplies	5,307	3,000	3,000	3,000
Equipment Maintenance Supplies	3,867	3,000	3,000	3,000
Professional & Scientific Supplies	403	1,000	1,000	1,000
Housing & Subsistence Supplies	1,995	3,000	3,000	3,000
Ag., Conservation & Horticulture Supply	167	1,000	1,000	1,000
Other Supplies	13,565	3,000	3,000	3,000
Food	1,408	20,000	20,000	20,000
Postage	7,813	25,000	25,000	25,000
Rentals	268	1,000	1,000	1,000
Outside Services	0	3,881	3,881	3,881
Outside Repairs/Service	1,653	3,000	3,000	3,000
Equipment	10,820	2,000	3,000	3,000
Office Equipment	0	1,000	1,000	1,000
Equipment - Non-Inventory	4,880	1,000	0	0
Licenses	4,084	420	420	420
Balance Carry Forward (Funds)	426,465	426,465	357,957	426,465
Total Disposition of Resources	<u>\$ 490,741</u>	<u>\$ 498,766</u>	<u>\$ 430,258</u>	<u>\$ 498,766</u>

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (200) Corrections, Department of
Budget Unit: (24900000357) Mitchellville Canteen Fund
Schedule 6

	Fiscal Year 2007 Actual	Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recomm
Resources				
Other Resources				
Balance Brought Forward (Funds)	\$ 82,687	\$ 53,863	\$ 82,687	\$ 53,863
Receipts				
Other Sales & Services	65,079	64,010	10	10
Total Resources	<u>\$ 147,766</u>	<u>\$ 117,873</u>	<u>\$ 82,697</u>	<u>\$ 53,873</u>
FTE	<u>0.00</u>	<u>0.50</u>	<u>0.00</u>	<u>0.00</u>
Disposition of Resources				
Personal Services-Salaries	\$ 27,922	\$ 29,500	\$ 0	\$ 0
Facility Maintenance Supplies	0	34,500	0	0
Other Supplies	65,981	10	10	10
Balance Carry Forward (Funds)	53,863	53,863	82,687	53,863
Total Disposition of Resources	<u>\$ 147,766</u>	<u>\$ 117,873</u>	<u>\$ 82,697</u>	<u>\$ 53,873</u>

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (200) Corrections, Department of
Budget Unit: (23800000155) DOC- Iowa Corrections Offender Network Fund
Schedule 6

	Fiscal Year 2007 Actual	Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recomm
Resources				
Other Resources				
Balance Brought Forward (Funds)	\$ 442,166	\$ 1,057,558	\$ 442,167	\$ 1,057,559
Receipts				
Interest	40,863	1	0	0
Other Sales & Services	832,539	500,000	500,000	500,000
	873,402	500,001	500,000	500,000
Total Resources	<u>\$ 1,315,568</u>	<u>\$ 1,557,559</u>	<u>\$ 942,167</u>	<u>\$ 1,557,559</u>
Disposition of Resources				
Professional & Scientific Services	\$ 0	\$ 9,900	\$ 9,900	\$ 9,900
IT Outside Services	0	90,000	90,000	90,000
Office Equipment	15,760	100	100	100
IT Equipment	242,250	400,000	400,000	400,000
Balance Carry Forward (Funds)	1,057,558	1,057,559	442,167	1,057,559
Total Disposition of Resources	<u>\$ 1,315,568</u>	<u>\$ 1,557,559</u>	<u>\$ 942,167</u>	<u>\$ 1,557,559</u>

STATE OF IOWA

Fiscal Year 2009 Annual Budget

SPECIAL DEPARTMENT: (495) Inspections & Appeals, Department of

Budget Unit: (4280Q440001) Indigent Defense Appropriation

Schedule 1

<u>Rank</u>	<u>Description</u>	<u>Funding Source</u>	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recommendations
Base	Restore funding to pay attorney fees and other costs associated with indigent defense	Appropriation	31,282,538	31,282,538
<u>Total Budget Unit Funding</u>		Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recommendations
Appropriation		\$ 31,282,538	\$ 31,282,538	\$ 31,282,538

STATE OF IOWA

Fiscal Year 2009 Annual Budget

SPECIAL DEPARTMENT: (200) Corrections, Department of

Budget Unit: (23800000156) DOC Inmate Labor Fund

Schedule 6

	Fiscal Year 2007 Actual	Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recomm
Resources				
Other Resources				
Balance Brought Forward (Funds)	\$ 117,568	\$ 268,686	\$ 117,568	\$ 268,686
Receipts				
Local Governments	174,557	25,000	25,000	25,000
Interest	8,265	1	1	1
	<u>182,821</u>	<u>25,001</u>	<u>25,001</u>	<u>25,001</u>
Total Resources	<u>\$ 300,389</u>	<u>\$ 293,687</u>	<u>\$ 142,569</u>	<u>\$ 293,687</u>
Disposition of Resources				
Reimbursement to Other Agencies	\$ 31,703	\$ 25,001	\$ 25,001	\$ 25,001
Balance Carry Forward (Funds)	<u>268,686</u>	<u>268,686</u>	<u>117,568</u>	<u>268,686</u>
Total Disposition of Resources	<u>\$ 300,389</u>	<u>\$ 293,687</u>	<u>\$ 142,569</u>	<u>\$ 293,687</u>

STATE OF IOWA

Fiscal Year 2009 Annual Budget

SPECIAL DEPARTMENT: (200) Corrections, Department of

Budget Unit: (23800000460) Interstate Compact Fee Fund

Schedule 6

	Fiscal Year 2007 Actual	Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recomm
Resources				
Other Resources				
Balance Brought Forward (Funds)	\$ 42,749	\$ 76,492	\$ 49,749	\$ 83,492
Receipts				
Interest	2,343	100	100	100
Fees, Licenses & Permits	56,900	32,000	32,000	32,000
	59,243	32,100	32,100	32,100
Total Resources	<u>\$ 101,992</u>	<u>\$ 108,592</u>	<u>\$ 81,849</u>	<u>\$ 115,592</u>
Disposition of Resources				
Outside Services	\$ 25,500	\$ 25,100	\$ 25,100	\$ 25,100
Balance Carry Forward (Funds)	76,492	83,492	56,749	90,492
Total Disposition of Resources	<u>\$ 101,992</u>	<u>\$ 108,592</u>	<u>\$ 81,849</u>	<u>\$ 115,592</u>

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (200) Corrections, Department of
Budget Unit: (24400000204) Oakdale Telephone Rebate Fund
Schedule 6

	Fiscal Year 2007 Actual	Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recomm
Resources				
Other Resources				
Balance Brought Forward (Funds)	\$ 976,817	\$ 935,256	\$ 822,282	\$ 780,619
Receipts				
Refunds & Reimbursements	0	108,194	108,194	108,194
Other Sales & Services	2,840,943	1,654,329	1,654,329	1,654,329
	<u>2,840,943</u>	<u>1,762,523</u>	<u>1,762,523</u>	<u>1,762,523</u>
Total Resources	<u>\$ 3,817,760</u>	<u>\$ 2,697,779</u>	<u>\$ 2,584,805</u>	<u>\$ 2,543,142</u>
 FTE	 <u>1.87</u>	 <u>6.00</u>	 <u>6.00</u>	 <u>6.00</u>
Disposition of Resources				
Personal Services-Salaries	\$ 115,314	\$ 280,360	\$ 280,360	\$ 280,360
Office Supplies	4,347	2,083	2,083	2,083
Communications	5,117	1,407,527	1,407,527	1,407,527
Rentals	70	0	0	0
Professional & Scientific Services	345,157	72,830	72,830	72,830
Outside Services	750,000	10,997	10,997	10,997
Reimbursement to Other Agencies	48	100	0	0
Other Expense & Obligations	0	118,063	118,063	118,063
Refunds-Other	1,662,451	25,200	25,200	25,200
Balance Carry Forward (Funds)	935,256	780,619	667,745	626,082
Total Disposition of Resources	<u>\$ 3,817,760</u>	<u>\$ 2,697,779</u>	<u>\$ 2,584,805</u>	<u>\$ 2,543,142</u>

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (750) Public Defense, Department of
Budget Unit: (5820R320001) Civil Air Patrol
Schedule 6

	Fiscal Year 2007 Actual	Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recomm
Resources				
Appropriations				
Appropriation	\$ 100,000	\$ 120,000	\$ 120,000	\$ 0
Disposition of Resources				
Personal Travel In State	\$ 33,624	\$ 6,000	\$ 32,000	\$ 0
Personal Travel Out of State	6,229	4,465	7,465	0
Office Supplies	7,663	2,550	7,550	0
Professional & Scientific Supplies	3,388	3,000	3,000	0
Other Supplies	772	500	775	0
Printing & Binding	2,636	1,300	2,600	0
Food	1,493	0	1,500	0
Uniforms & Related Items	1,079	0	1,100	0
Postage	454	550	550	0
Communications	3,790	1,000	3,800	0
Rentals	9,150	4,120	9,120	0
Utilities	392	0	400	0
Professional & Scientific Services	756	0	1,050	0
Outside Services	1,100	60,285	13,435	0
Advertising & Publicity	1,648	2,100	1,700	0
Outside Repairs/Service	20,484	22,455	25,455	0
Equipment - Non-Inventory	5,340	11,675	8,500	0
Total Disposition of Resources	\$ 100,000	\$ 120,000	\$ 120,000	\$ 0

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (750) Public Defense, Department of
Budget Unit: (58300000046) Wireless E911 Surcharge
Schedule 6

	Fiscal Year 2007 Actual	Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recomm
Resources				
Other Resources				
Balance Brought Forward (Funds)	\$ 2,259,443	\$ 2,457,508	\$ 1,662,551	\$ 463,264
Receipts				
Interest	154,485	150,000	155,000	155,000
Fees, Licenses & Permits	14,278,530	12,000,001	14,493,433	14,493,433
Refunds & Reimbursements	197	0	0	0
	<u>14,433,212</u>	<u>12,150,001</u>	<u>14,648,433</u>	<u>14,648,433</u>
Total Resources	<u>\$ 16,692,656</u>	<u>\$ 14,607,509</u>	<u>\$ 16,310,984</u>	<u>\$ 15,111,697</u>
 FTE	 <u>2.00</u>	 <u>2.00</u>	 <u>2.00</u>	 <u>2.00</u>
Disposition of Resources				
Personal Services-Salaries	\$ 155,856	\$ 164,919	\$ 164,919	\$ 164,919
Personal Travel In State	7,008	6,000	6,000	6,000
Personal Travel Out of State	7,962	5,000	5,000	5,000
Office Supplies	3,990	3,900	3,900	3,900
Equipment Maintenance Supplies	0	20	20	20
Printing & Binding	25	20	20	20
Postage	10,048	50	50	50
Communications	13,890,643	13,703,004	15,824,006	14,624,719
Rentals	557	500	500	500
Outside Services	125,737	80,050	125,787	125,787
Reimbursement to Other Agencies	32,658	30,000	30,000	30,000
ITS Reimbursements	305	350	350	350
Equipment	0	75,000	75,000	75,000
Equipment - Non-Inventory	330	400	400	400

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (750) Public Defense, Department of
Budget Unit: (58300000046) Wireless E911 Surcharge
Schedule 6

	Fiscal Year 2007 Actual	Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recomm
Disposition of Resources (cont.)				
IT Equipment	30	75,030	75,030	75,030
Claims	0	1	1	1
Other Expense & Obligations	0	1	1	1
Balance Carry Forward (Funds)	2,457,508	463,264	0	0
Total Disposition of Resources	<u>\$ 16,692,656</u>	<u>\$ 14,607,509</u>	<u>\$ 16,310,984</u>	<u>\$ 15,111,697</u>

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (770) Public Safety, Department of
Budget Unit: (59500000060) Asset Sharing Fund - Federal
Schedule 6

	Fiscal Year 2007 Actual	Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recomm
Resources				
Other Resources				
Balance Brought Forward (Funds)	\$ 1,685,426	\$ 1,745,804	\$ 1,685,426	\$ 1,745,804
Receipts				
Federal Support	973,279	100,000	100,000	100,000
Interest	81,484	4,000	4,000	4,000
	<u>1,054,763</u>	<u>104,000</u>	<u>104,000</u>	<u>104,000</u>
Total Resources	<u>\$ 2,740,190</u>	<u>\$ 1,849,804</u>	<u>\$ 1,789,426</u>	<u>\$ 1,849,804</u>
Disposition of Resources				
Personal Services-Salaries	\$ 9,686	\$ 0	\$ 0	\$ 0
Personal Travel In State	15,437	0	0	0
State Vehicle Operation	28,203	0	0	0
Personal Travel Out of State	20,147	0	0	0
Professional & Scientific Supplies	14,263	0	0	0
Other Supplies	118,049	500	500	500
Uniforms & Related Items	20,416	5,000	5,000	5,000
Communications	4,633	0	0	0
Rentals	51,977	48,000	48,000	48,000
Professional & Scientific Services	6,800	5,000	5,000	5,000
Outside Services	10,732	5,000	5,000	5,000
Intra-State Transfers	30,000	0	0	0
Outside Repairs/Service	3,913	500	500	500
Reimbursement to Other Agencies	5,820	0	0	0
Equipment	70,374	18,950	18,950	18,950
Office Equipment	0	6,050	6,050	6,050
Equipment - Non-Inventory	310,743	0	0	0
IT Equipment	189,472	10,000	10,000	10,000

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (770) Public Safety, Department of
Budget Unit: (59500000060) Asset Sharing Fund - Federal
Schedule 6

	Fiscal Year 2007 Actual	Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recomm
Disposition of Resources (cont.)				
Other Expense & Obligations	83,719	5,000	5,000	5,000
Balance Carry Forward (Funds)	1,745,804	1,745,804	1,685,426	1,745,804
Total Disposition of Resources	<u>\$ 2,740,190</u>	<u>\$ 1,849,804</u>	<u>\$ 1,789,426</u>	<u>\$ 1,849,804</u>

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (770) Public Safety, Department of
Budget Unit: (59500000061) Asset Sharing Fund - State
Schedule 6

	Fiscal Year 2007 Actual	Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recomm
Resources				
Other Resources				
Balance Brought Forward (Funds)	\$ 409,866	\$ 109,986	\$ 409,866	\$ 109,986
Receipts				
Interest	0	4,000	4,000	4,000
Refunds & Reimbursements	410,750	100,000	100,000	100,000
	410,750	104,000	104,000	104,000
Total Resources	<u>\$ 820,617</u>	<u>\$ 213,986</u>	<u>\$ 513,866</u>	<u>\$ 213,986</u>
Disposition of Resources				
Personal Travel In State	\$ 86	\$ 0	\$ 0	\$ 0
Professional & Scientific Supplies	1,257	0	0	0
Other Supplies	53,616	1,000	1,000	1,000
Uniforms & Related Items	115,857	0	0	0
Rentals	1,006	0	0	0
Professional & Scientific Services	4,700	5,000	5,000	5,000
Outside Services	0	5,000	5,000	5,000
Intra-State Transfers	197,618	0	0	0
Outside Repairs/Service	0	10,000	10,000	10,000
Reimbursement to Other Agencies	1,282	0	0	0
IT Outside Services	26,250	0	0	0
Equipment	12,000	10,000	10,000	10,000
Equipment - Non-Inventory	11,052	0	0	0
IT Equipment	0	68,000	68,000	68,000
Other Expense & Obligations	285,907	5,000	5,000	5,000
Balance Carry Forward (Funds)	109,986	109,986	409,866	109,986
Total Disposition of Resources	<u>\$ 820,617</u>	<u>\$ 213,986</u>	<u>\$ 513,866</u>	<u>\$ 213,986</u>

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (770) Public Safety, Department of
Budget Unit: (59500000296) Criminalistics Laboratory Fund
Schedule 6

	Fiscal Year 2007 Actual	Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recomm
Resources				
Other Resources				
Balance Brought Forward (Funds)	\$ 20,030	\$ 186,377	\$ 20,030	\$ 186,377
Receipts				
Intra State Receipts	342,000	342,000	342,000	342,000
Interest	12,644	0	0	0
	<u>354,644</u>	<u>342,000</u>	<u>342,000</u>	<u>342,000</u>
Total Resources	<u>\$ 374,675</u>	<u>\$ 528,377</u>	<u>\$ 362,030</u>	<u>\$ 528,377</u>
Disposition of Resources				
Personal Travel In State	\$ 4,516	\$ 0	\$ 0	\$ 0
Personal Travel Out of State	70,481	0	0	0
Office Supplies	302	0	0	0
Professional & Scientific Supplies	2,437	0	0	0
Communications	16	0	0	0
Rentals	50	0	0	0
Outside Repairs/Service	19,085	0	0	0
Reimbursement to Other Agencies	932	0	0	0
Equipment	70,745	342,000	342,000	342,000
Equipment - Non-Inventory	8,602	0	0	0
IT Equipment	11,132	0	0	0
Balance Carry Forward (Funds)	186,377	186,377	20,030	186,377
Total Disposition of Resources	<u>\$ 374,675</u>	<u>\$ 528,377</u>	<u>\$ 362,030</u>	<u>\$ 528,377</u>

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (770) Public Safety, Department of
Budget Unit: (5950R610001) DPS Equipment
Schedule 6

	Fiscal Year 2007 Actual	Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recomm
Resources				
Appropriations				
Supplementals	\$ 300,000	\$ 0	\$ 0	\$ 0
Other Resources				
Balance Brought Forward (Approps)	0	281,767	0	0
Total Resources	<u>\$ 300,000</u>	<u>\$ 281,767</u>	<u>\$ 0</u>	<u>\$ 0</u>
Disposition of Resources				
Reimbursement to Other Agencies	\$ 51	\$ 0	\$ 0	\$ 0
IT Equipment	18,182	281,767	0	0
Balance Carry Forward (Approps)	281,767	0	0	0
Total Disposition of Resources	<u>\$ 300,000</u>	<u>\$ 281,767</u>	<u>\$ 0</u>	<u>\$ 0</u>

STATE OF IOWA

Budget Unit: (44400000466) Court Technology and Modernization Fund

Fiscal Year 2009 Annual Budget

SPECIAL DEPARTMENT: (540) Judicial Branch

Budget Unit: (44400000466) Court Technology and Modernization Fund

Schedule 6

	Fiscal Year 2007 Actual	Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recomm
Resources				
Other Resources				
Balance Brought Forward (Funds)	\$ 4,620,617	\$ 5,102,354	\$ 4,134,354	\$ 4,134,354
Receipts				
Local Governments	1,000,000	1,000,000	1,000,000	1,000,000
Total Resources	<u>\$ 5,620,617</u>	<u>\$ 6,102,354</u>	<u>\$ 5,134,354</u>	<u>\$ 5,134,354</u>
Disposition of Resources				
Communications	\$ 5,133	\$ 297,500	\$ 297,500	\$ 297,500
Outside Services	256,072	1,203,500	1,203,500	1,203,500
Data Processing	0	1,000	1,000	1,000
IT Equipment	257,057	466,000	466,000	466,000
Balance Carry Forward (Funds)	5,102,354	4,134,354	3,166,354	3,166,354
Total Disposition of Resources	<u>\$ 5,620,617</u>	<u>\$ 6,102,354</u>	<u>\$ 5,134,354</u>	<u>\$ 5,134,354</u>

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (540) Judicial Branch
Budget Unit: (44400000468) Enhanced Court Collections Fund
Schedule 6

	Fiscal Year 2007 Actual	Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recomm
Resources				
Other Resources				
Balance Brought Forward (Funds)	\$ 8,285,527	\$ 9,695,085	\$ 4,968,820	\$ 4,968,820
Receipts				
Local Governments	4,000,000	4,000,000	4,000,000	4,000,000
Reimbursement from Other Agencies	0	3	3	3
Interest	364,022	300,000	300,000	300,000
Fees, Licenses & Permits	302,748	250,000	250,000	250,000
Refunds & Reimbursements	175,002	5,000	5,000	5,000
	<u>4,841,772</u>	<u>4,555,003</u>	<u>4,555,003</u>	<u>4,555,003</u>
Total Resources	<u>\$ 13,127,299</u>	<u>\$ 14,250,088</u>	<u>\$ 9,523,823</u>	<u>\$ 9,523,823</u>
Disposition of Resources				
Personal Travel Out of State	\$ 1,089	\$ 15,000	\$ 0	\$ 0
Office Supplies	6,675	0	0	0
Communications	848,374	333,972	333,972	333,972
Outside Services	605,508	6,017,293	6,457,293	6,457,293
ITS Reimbursements	232,426	90,000	90,000	90,000
IT Outside Services	0	200,000	0	0
Equipment - Non-Inventory	8,264	0	0	0
IT Equipment	1,509,103	2,400,003	2,400,003	2,400,003
Other Expense & Obligations	220,774	225,000	0	0
Balance Carry Forward (Funds)	9,695,085	4,968,820	242,555	242,555
Total Disposition of Resources	<u>\$ 13,127,299</u>	<u>\$ 14,250,088</u>	<u>\$ 9,523,823</u>	<u>\$ 9,523,823</u>

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (540) Judicial Branch
Budget Unit: (44400000793) Judicial Retirement Fund
Schedule 6

	Fiscal Year 2007 Actual	Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recomm
Resources				
Other Resources				
Balance Brought Forward (Funds)	\$ 77,882,895	\$ 80,779,653	\$ 88,507,570	\$ 88,507,570
Receipts				
Intra State Receipts	2,039,664	5,450,963	5,450,963	5,450,963
Interest	5,866,277	5,300,000	5,300,000	5,300,000
Dividends	499,910	625,000	625,000	625,000
Refunds & Reimbursements	598,431	1,379,954	1,379,954	1,379,954
	<u>9,004,283</u>	<u>12,755,917</u>	<u>12,755,917</u>	<u>12,755,917</u>
Total Resources	<u>\$ 86,887,177</u>	<u>\$ 93,535,570</u>	<u>\$ 101,263,487</u>	<u>\$ 101,263,487</u>
Disposition of Resources				
Professional & Scientific Services	\$ 7,900	\$ 10,000	\$ 10,000	\$ 10,000
Reimbursement to Other Agencies	17,256	18,000	18,000	18,000
Other Expense & Obligations	6,082,368	5,000,000	5,000,000	5,000,000
Balance Carry Forward (Funds)	80,779,653	88,507,570	96,235,487	96,235,487
Total Disposition of Resources	<u>\$ 86,887,177</u>	<u>\$ 93,535,570</u>	<u>\$ 101,263,487</u>	<u>\$ 101,263,487</u>

STATE OF IOWA
Fiscal Year 2009 Annual Budget
SPECIAL DEPARTMENT: (540) Judicial Branch
Budget Unit: (44400000043) Jury and Witness Fee Revolving Fund
Schedule 6

	Fiscal Year 2007 Actual	Fiscal Year 2008 Estimated	Fiscal Year 2009 Department Request	Fiscal Year 2009 Governor's Recomm
Resources				
Other Resources				
Balance Brought Forward (Funds)	\$ 6,351,583	\$ 8,052,559	\$ 4,894,284	\$ 4,894,284
Receipts				
Intra State Receipts	0	1,000	1,000	1,000
Other	3,499,595	2,680,725	2,680,725	2,680,725
	<u>3,499,595</u>	<u>2,681,725</u>	<u>2,681,725</u>	<u>2,681,725</u>
Total Resources	<u>\$ 9,851,177</u>	<u>\$ 10,734,284</u>	<u>\$ 7,576,009</u>	<u>\$ 7,576,009</u>
Disposition of Resources				
Postage	\$ 178,868	\$ 140,000	\$ 140,000	\$ 140,000
State Aid	1,619,750	3,700,000	3,700,000	3,700,000
Appropriation	0	2,000,000	0	0
Balance Carry Forward (Funds)	8,052,559	4,894,284	3,736,009	3,736,009
Total Disposition of Resources	<u>\$ 9,851,177</u>	<u>\$ 10,734,284</u>	<u>\$ 7,576,009</u>	<u>\$ 7,576,009</u>

APPENDIX C

Iowa Corrections System

IOWA CORRECTIONS SYSTEM

Present Corrections System

The Iowa corrections system has four parts – administration, prisons, Community-Based Corrections, and Iowa Prison Industries. The Central Office is located in Des Moines and has responsibilities for administration, planning, policy development, program monitoring, and budgeting. Some staff perform system-wide administrative functions (for example, the medical services director and staff) and are located at one of the institutions or Community-Based Corrections (CBC) District Departments. Iowa Prison Industries oversees the prison farms, traditional industry programs, private sector employment, and the prison canteen system. Iowa Prison Industries is self-funded and operates without General Fund support.

The prisons are responsible for incarcerating violent offenders and higher-risk individuals and providing the offenders with services essential to reducing risk to the general public upon release or parole. Community-Based Corrections provides supervision and transitional treatment for probationers, work release clients, Operating While Intoxicated (OWI) inmates, and parolees within a community setting. Community-Based Corrections provides both residential and field services (street) supervision.

The CBC District Departments have responsibility for approximately 77.3% of the offenders under correctional supervision while they have approximately 28.6% of the total staff. In FY 1990, CBC supervised 80.5% of the offenders, but by FY 2007, the percentage had declined to 77.3%. Between FY 1990 and FY 2007, the prison population increased from 3,842 to 8,806 inmates, an increase of 4,964 (129.2%) inmates. Over the same time period, the CBC population grew from 16,905 to 29,903 offenders, an increase of 12,998 (76.9%).

The Iowa corrections system operates a continuum of sanctions, ranging from probation with minimal supervision to incarceration. The prisons provide the most severe level of sanction, incarcerating violent offenders and those offenders that cannot be safely managed in community settings. In addition to security, prisons provide for housing; dietary services; medical, mental health, and substance abuse treatment; education and job skills training; behavioral and psychological treatment; and recreational activities.

Prison System– The prison system has nine major prison facilities with a total of 7,413 general population beds and 671 medical and segregation beds. The prisons were operating at 117.2% of designed capacity on January 15, 2008. **Table 1** describes the nine prisons and distribution of the general population beds. Since the beginning of FY 1990, 4,400 prison beds have been added to the system, an increase of 149.6%.

Iowa Corrections System

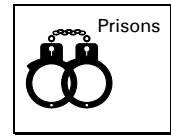
Table 1
Iowa Prison System
(As of January 15, 2008)

Prison	Current Capacity	Security Type	Population	No. Over Capacity	Emphasis
Ft. Madison	1,081	Max. – 749 Med. – 152 Min. – 180	768 186 145	19 34 -35	General – Male
Anamosa	1,001	Med. – 913 Min. – 88	1,281 51	368 -37	General/Education – Male
Mitchellville	443	Min. – 443	583	140	General – Female
Newton	944	Min. – 182 Med. – 762	304 844	122 82	Pre-Release – Male General
Oakdale	687	Med. – 687	887	200	Reception/Evaluation/ General/Psychiatric
Mt. Pleasant	775	Med. – 775	928	153	Substance Abuse/Sex Offender – Male
Mt. Pleasant	100	Med – 100	93	-7	Special Needs Unit for Women
Ft. Dodge	1,162	Med – 1,162	1,119	-43	General Male/Youthful Offender
Clarinda	975	Med. – 750 Min. – 225	873 138	123 -87	Special Learning – Male
Rockwell City	245	Med. – 245	491	246	General – Male
Total	<u>7,413</u>		<u>8,691</u>	<u>1,278</u>	

Projected Prison Population Growth – On January 15, 2008, there were 8,691 inmates in Iowa’s prison system. This is 169 fewer inmates compared to one year ago. However, the population increased steadily from July 1, 2007, through October 30, 2007, when a record high prison population was reached, with 8,940 inmates. The population then decreased. The decrease is primarily due to the DOC focusing on offender re-entry efforts, a decrease in prison admissions, and working with the Board of Parole.

The Criminal and Juvenile Justice Planning Division (CJJPD) of the Department of Human Rights has prepared a prison population forecast that adjusts for the recent departmental policy changes and projects prison population growth through FY 2017. If current offender behavior and justice system trends remain unchanged, the prison population will be 9,730 inmates by June 30, 2017, an increase of 10.5% over the next 10 years.

Addition of Two New Prisons – The forecast creates capacity issues because, based on the forecast, the prison system will be operating at 131.2% of current designed capacity by the end of FY 2017. According to the DOC, for each increase of 1,000 in the inmate population, a new 800-bed prison will need to be constructed. This assumes each prison will operate at 125.0% of capacity. If the inmate population reaches 9,730, two new 800-bed prisons will need to be built at an estimated construction cost of \$53.0 million for each prison. Each prison will incur annual operating costs of approximately \$30.0 million. Total capital costs are estimated to be \$106.0 million and annual operating costs are estimated to be \$60.0 million. If two new prisons are constructed and the population reaches 9,730 inmates, the prison system will be operating at 107.9% of designed capacity.



Community-Based Corrections Population Growth – The CJJPD does not forecast the CBC populations. The following information was prepared using average annual percentage growth rates. The average annual growth rate for the CBC population since FY 1997 (10-year average) has been 4.5%. Since FY 1992, the growth rate has averaged 4.9% (15-year average). Using these average annual rates of growth, the CBC population will be approximately 49,000 offenders by the end of FY 2017, an increase of 19,000 offenders, or 63.9%.

Funding to Maintain Current Level of Services – If the CBC population reaches 49,000 offenders in 10 years, the General Fund appropriation will need to increase in order to maintain the current level of service. Assuming the budget will increase at the same rate as the CBC offender population, by FY 2017, the CBC District Departments will need a budget of approximately \$118.4 million, an increase of \$39.2 million (49.5%) compared to the estimated FY 2008 General Fund appropriation.

Summary

The corrections system can be expected to continue to grow over the next decade, both in prisons and CBC. This growth will require the construction of new prisons, expansion of Iowa Prison Industries, and an increase in CBC staffing and programming if current levels of service are to be maintained. There are options that may reduce the projected offender population, including:

- Sentencing changes, such as the repeal or reduction of mandatory minimum terms or habitual offender laws.
- Expand early release or parole eligibility.
- Enhance judicial discretion in criminal sentencing.
- Expand drug treatment availability.
- Establish a Sentencing Commission.
- Increase alternatives to prison for technical violators.
- Create emergency release mechanisms.

All alternatives will require additional resources for the DOC and/or the CBC District Departments. The alternatives, however, may slow the rate of growth in corrections spending or provide methods of future cost avoidance. The future costs of Iowa's current criminal penalties are greater than the costs of the alternatives.

APPENDIX D

Iowa Corrections System

Governor's Recommendation

Governor's Recommendation - FY 2009 Corrections System

		Gov. Rec.		Gov. Rec.		Gov. Rec.
	Estimated	Food/Fuel	Gov. Rec.	CBC Re-Entry/	Gov. Rec.	Gov. Rec.
	FY 2008	Pharmacy	Sex	Therapeutic	Residential	Grant
		Treatment	Offenders	Community	Expansion	Replacement
<u>CBC Districts</u>						
CBC District 1	\$ 12,706,033	\$ 41,870	\$ 134,920	\$ 648,579	\$ 0	\$ 206,000
CBC District 2	10,080,108	20,882	157,382	0	734,014	0
CBC District 3	5,903,401	11,223	0	0	0	0
CBC District 4	5,419,406	15,834	0	0	0	0
CBC District 5	18,401,003	51,165	571,787	1,247,795	0	0
CBC District 6	12,675,246	16,736	121,206	0	0	0
CBC District 7	7,020,794	32,866	0	0	0	0
CBC District 8	6,998,544	68,382	116,010	0	0	0
Total CBC Districts	\$ 79,204,535	\$ 258,958	\$ 1,101,305	\$ 1,896,374	\$ 734,014	\$ 206,000
<u>Corrections Central Office</u>						
Central Office	\$ 5,050,732	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
ICON	427,700	0	0	0	0	0
County Confinement	1,199,954	0	0	0	0	0
Federal Prisoners	241,293	0	0	0	0	0
Corrections Education	1,570,358	0	0	0	0	0
Hepatitis Treatment and Education	188,000	0	0	0	0	0
Transitional Housing Pilot	30,000	0	0	0	0	0
Mental Health/Substance Abuse	25,000	0	0	0	0	0
Security Audits	0					
Total Corrections Central Office	\$ 8,733,037	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
<u>Corrections Institutions</u>						
Fort Madison	\$ 44,512,509	\$ 244,077	\$ 0	\$ 0	\$ 0	\$ 0
Anamosa	30,656,614	283,188	0	0	0	238,252
Oakdale	56,204,468	1,923,803	0	0	0	0
Newton	27,841,158	137,783	0	0	0	0
Mt. Pleasant	26,331,092	296,008	763,352	0	0	0
Rockwell City	9,108,454	96,201	0	0	0	0
Clarinda	25,078,365	129,100	0	0	0	0
Mitchellville	15,878,663	57,105	0	0	0	0
Fort Dodge	29,773,151	108,590	0	140,564	0	0
Total Corrections Institutions	\$ 265,384,474	\$ 3,275,855	\$ 763,352	\$ 140,564	\$ 0	\$ 238,252
Total Corrections System	\$ 353,322,046	\$ 3,534,813	\$ 1,864,657	\$ 2,036,938	\$ 734,014	\$ 444,252

Governor's Recommendation - FY 2009 Corrections System

	Gov. Rec. Security Audits	Gov. Rec. Reductions/ Transfers	Gov. Rec. HITT Transfer	Gov. Rec. Total General Fund	Gov. Rec. vs. Est. FY 2008
<u>CBC Districts</u>					
CBC District 1	\$ 0	\$ 0	\$ 228,216	\$ 13,965,618	\$ 1,259,585
CBC District 2	0	0	406,217	11,398,603	1,318,495
CBC District 3	0	0	200,359	6,114,983	211,582
CBC District 4	0	0	291,731	5,726,971	307,565
CBC District 5	0	0	355,693	20,627,443	2,226,440
CBC District 6	0	-200,000	494,741	13,107,929	432,683
CBC District 7	0	0	232,232	7,285,892	265,098
CBC District 8	0	0	300,000	7,482,936	484,392
Total CBC Districts	\$ 0	\$ -200,000	\$ 2,509,189	\$ 85,710,375	\$ 6,505,840
<u>Corrections Central Office</u>					
Central Office	\$ 0	\$ 0	\$ 0	\$ 5,050,732	\$ 0
ICON	0	0	0	427,700	0
County Confinement	0	-231,971	0	967,983	-231,971
Federal Prisoners	0	0	0	241,293	0
Corrections Education	0	0	0	1,570,358	0
Hepatitis Treatment and Education	0	0	0	188,000	0
Transitional Housing Pilot	0	0	0	30,000	0
Mental Health/Substance Abuse	0	0	0	25,000	0
Security Audits	2,000,000			2,000,000	2,000,000
Total Corrections Central Office	\$ 2,000,000	\$ -231,971	\$ 0	\$ 10,501,066	\$ 1,768,029
<u>Corrections Institutions</u>					
Fort Madison	\$ 0	\$ 0	\$ 1,497,285	\$ 46,253,871	\$ 1,741,362
Anamosa	0	0	0	31,178,054	521,440
Oakdale	0	0	0	58,128,271	1,923,803
Newton	0	0	0	27,978,941	137,783
Mt. Pleasant	0	0	0	27,390,452	1,059,360
Rockwell City	0	58,030	0	9,262,685	154,231
Clarinda	0	0	0	25,207,465	129,100
Mitchellville	0	0	0	15,935,768	57,105
Fort Dodge	0	-58,030	0	29,964,275	191,124
Total Corrections Institutions	\$ 0	\$ 0	\$ 1,497,285	\$ 271,299,782	\$ 5,915,308
Total Corrections System	\$ 2,000,000	\$ -431,971	\$ 4,006,474	\$ 367,511,223	\$ 14,189,177

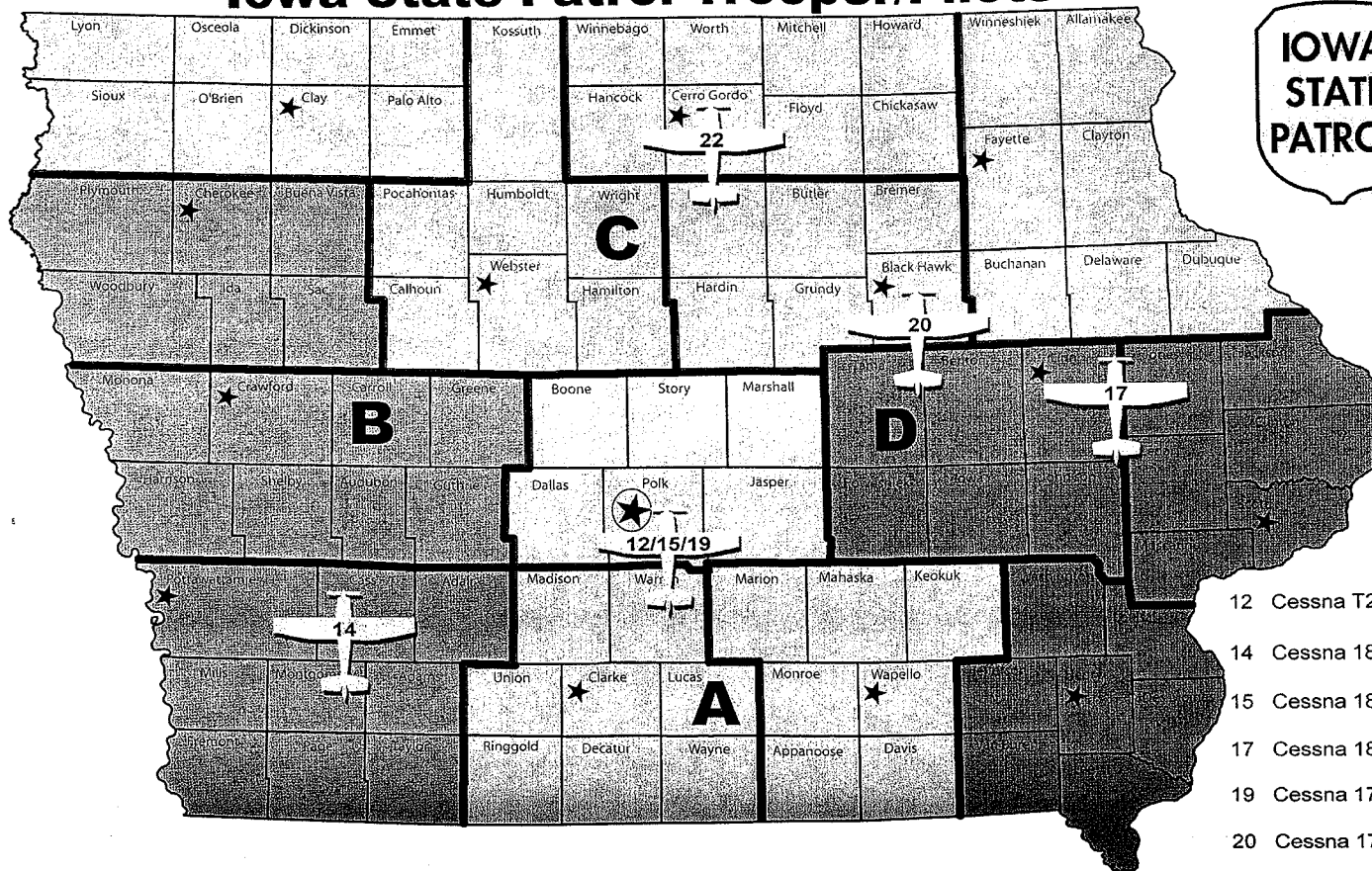
APPENDIX E

Trooper

Pilot

Locations

Iowa State Patrol Trooper/Pilots



AREA A/Ankeny
Trp. Lawrence #289
Trp. Current #91

AREA B/Atlantic
Trp. Pigsley #234
Trp. Jensen #373

AREA C/Waterloo
Trp. Bartels #457
Trp. Argabright #240

AREA C/Mason City
Trp. Knutson #315
Trp. Scott #371

AREA D/Cedar Rapids
Trp. Clements #406
Trp. Degen #428

AIRCRAFT ADMINISTRATOR
Sgt. Paradise #233
515-725-6093

- 12 Cessna T210N -N5337Y
1981
- 14 Cessna 182 - N9578H
1982
- 15 Cessna 182 - N9539L
1998
- 17 Cessna 182 - N17ISP
2007
- 19 Cessna 172 - N370ES
1997
- 20 Cessna 172 - N223IE
2007
- 22 Cessna 172 - N259GF
1997

trooper pilots.psd
11/07

APPENDIX F

FY 2009 Judges Salaries

Annual Salaries of Iowa Judges

Fiscal Year	Supreme Court		Court of Appeals		District Court						
	Chief Justice	Justices	Chief Judge	Judges	Chief Judge	District Judges	District Associate Judges	Juvenile Associate Judges	Probate Associate Judges	Magistrates	Senior Judges
1984	\$ 62,100	\$ 57,100	\$ 55,400	\$ 54,200	\$ 53,000	\$ 50,700	\$ 42,000			\$ 11,700	
1985	66,200	60,900	59,100	57,800	56,500	54,000	44,800			12,500	
1986	66,200	60,900	59,100	57,800	56,500	54,000	44,800			12,500	
1987	66,200	60,900	59,100	57,800	56,500	54,000	44,800			12,500	
1988	70,900	65,200	63,600	61,900	60,500	57,800	48,000			13,400	
1989	75,900	72,900	72,800	69,800	69,000	66,000	56,800			15,000	
1990	81,900	78,900	78,800	75,800	75,000	72,000	62,800			15,800	
1991	87,200	84,000	83,900	80,700	79,900	76,700	66,900			16,800	
1992	87,200	84,000	83,900	80,700	79,900	76,700	66,900			16,800	
1993	93,700	90,300	90,200	86,800	85,900	82,500	71,900			18,100	
1994	93,700	90,300	90,200	86,800	85,900	82,500	71,900			18,100	
1995	95,600	92,100	92,000	88,500	87,600	84,200	73,300			18,500	
1996	100,400	96,700	96,600	93,000	92,100	88,500	77,000			19,500	\$ 5,000
1997	104,400	100,600	100,500	96,700	95,800	92,000	80,100			20,300	5,200
1998	107,500	103,600	103,500	99,600	98,700	94,800	82,500			21,600	5,400
1999	110,700	106,700	106,600	102,600	101,700	97,600	85,000			23,100	5,600
2000	114,000	109,900	109,800	105,700	104,800	100,500	87,600	\$ 87,600	\$ 87,600	25,400	5,800
2001	117,400	113,200	113,100	108,900	107,900	103,500	90,200	90,200	90,200	26,900	6,000
2002	120,920	116,600	116,490	112,170	111,140	106,610	92,910	92,910	92,910	27,700	6,180
* 2003	124,550	120,100	119,980	115,540	114,470	109,810	95,700	95,700	95,700	28,530	6,370
* 2004	127,040	122,500	122,380	117,850	116,760	112,010	97,610	97,610	97,610	29,100	6,500
2005	127,040	122,500	122,380	117,850	116,760	112,010	97,610	97,610	97,610	29,100	6,500
2006	132,720	128,000	127,920	123,120	122,000	117,040	102,000	102,000	102,000	30,400	6,800
2007	150,110	144,000	138,960	134,060	131,000	126,020	111,000	111,000	111,000	34,200	7,100
2008	153,109	146,890	141,731	136,739	133,619	128,544	113,214	113,214	113,214	34,882	7,238
2009	170,850	163,200	153,000	147,900	142,800	137,700	122,400	122,400	122,400	37,740	8,160
Percentage increase 2008-2009	11.59%	11.10%	7.95%	8.16%	6.87%	7.12%	8.11%	8.11%	8.11%	8.19%	12.74%

* Effective mid-year

APPENDIX G

Implementation of HF 619 (2005 Sex Offender Act)



MEMORANDUM

IOWA GENERAL ASSEMBLY
LEGISLATIVE SERVICES AGENCY
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DIVISIONS

LEGAL SERVICES
RICHARD L. JOHNSON

•

FISCAL SERVICES
HOLLY M. LYONS

•

COMPUTER SERVICES
GLEN P. DICKINSON

•

ADMINISTRATIVE SERVICES
TIMOTHY C. FALLER

FISCAL SERVICES

Beth A. Lenstra
Senior Analyst

Jennifer Acton
Legislative Analyst III

TO: Members of the General Assembly
FROM: Beth Lenstra and Jennifer Acton
DATE: December 4, 2007
RE: Implementation of HF 619 (2005 Sex Offender Act)

House File 619 (2005 Sex Offender Act) was implemented at the beginning of FY 2006. Therefore, there is only two years' worth of data. No statistically valid conclusions regarding the impact of HF 619 can be drawn due to a lack of data.

Pages three through five explain the potential correctional impact of the enhanced penalties included in Divisions Two and Three of the Act. According to the Criminal and Juvenile Justice Planning Division (CJJPD) of the Department of Human Rights, the full impact of the enhanced penalty provisions will not be reached until at least FY 2028. By that time, the number of sex offenders being supervised in Iowa's correctional system is anticipated to stabilize. It is anticipated the demand for additional resources will continue each year until at least FY 2028.

Pages six through eight contain the fiscal estimate for HF 619. The overall fiscal impact is estimated to be \$2.5 million in FY 2009, and \$3.2 million in FY 2010. These amounts are in addition to the \$9.9 million in additional funds that have been appropriated since FY 2006. Costs will continue to increase in future fiscal years due to anticipated increases in costs for the correctional system (mandated electronic monitoring, supervision, and treatment), and prosecution and defense.

The General Assembly has appropriated approximately \$9.9 million in additional funding to Executive Branch agencies for the implementation of HF 619. The following table shows appropriated funds and FTE positions by agency and fiscal year.

Pages nine through 25 contain a detailed explanation of the five Divisions of HF 619. Note this document only provides an analysis of the implementation of HF 619. It does not reflect any potential impact of the Adam Walsh Act, which is federal sex offender legislation that may impact Iowa's Sex Offender Registry, treatment mandates, supervision requirements, and criminal penalties.

Historical Funding for HF 619 (FY 2005 Sex Offender Act) General Fund and One-Time Microsoft Settlement Funds New Appropriations Only				
Agency	FY 2006	FY 2007	FY 2008	Total
Attorney General	\$ 250,000	\$ 0	\$ 0	\$ 250,000
FTEs	-	-	-	-
Mount Pleasant	750,000	250,000	-	1,000,000
FTEs	10.00	4.00	-	14.00
Newton	-	560,000	-	560,000
FTEs	-	11.00	-	11.00
DOC Central Office	-	82,590	-	82,590
FTEs	-	1.00	-	1.00
First CBC	211,040	112,482	240,962	564,484
FTEs	3.00	2.00	2.00	7.00
Second CBC	187,340	112,482	242,483	542,305
FTEs	3.00	2.00	2.00	7.00
Third CBC	81,500	112,482	155,498	349,480
FTEs	0.50	2.00	2.00	4.50
Fourth CBC	92,651	56,241	90,440	239,332
FTEs	1.50	1.00	1.00	3.50
Fifth CBC	642,555	1,323,824	408,215	2,374,594
FTEs	3.10	8.00	3.00	14.10
Sixth CBC	171,340	112,482	211,301	495,123
FTEs	2.00	2.00	2.00	6.00
Seventh CBC	184,187	112,482	180,120	476,789
FTEs	2.50	2.00	2.00	6.50
Eighth CBC	191,840	112,482	225,751	530,073
FTEs	2.50	2.00	2.00	6.50
Board of Parole	48,484	-	-	48,484
FTEs	1.00	-	-	1.00
DCI	1,281,206	272,236	-	1,553,442
FTEs	9.00	-	-	9.00
CJJP	75,000	-	-	75,000
FTEs	-	-	-	-
DHS - SVP	775,000	-	-	775,000
FTEs	-	-	-	-
Total Funding	\$ 4,942,143	\$ 3,219,783	\$ 1,754,770	\$ 9,916,696
Total FTEs	38.10	37.00	16.00	91.10

The FY 2006 DCI money includes \$929,206 in one-time Microsoft settlement funds, of which \$329,206 was for one-time purposes.

The FY 2007 DCI money includes a supplemental appropriation of \$220,000 and annualized costs for 3.00 FTE positions.

The FY 2007 Newton appropriation was originally funded with off-the-top court receipts and was annualized in FY 2008 with General Fund money.

We thank the following agencies and staff for their assistance in the completion of this project:

- Judicial Branch
- Department of Corrections
- Department of Human Services
- Department of Public Safety
- Office of the State Public Defender
- Department of Human Rights, CJJPD

Please contact Beth (281-6301) or Jennifer (281-7846) if you have any questions or concerns.

Correctional Impact

Divisions Two and Three resulted in a significant correctional impact. According to the Criminal and Juvenile Justice Planning Division of the Department of Human Rights, the full impact of HF 619 on Iowa's corrections system is not expected to be reached until at least FY 2028. By that time, the number of offenders leaving the corrections system (either by serving the full sentence or dying) is expected to equal the number of offenders entering the system.

Implementing the sentencing and treatment provisions of HF 619 was expected to increase the number of sex offenders under supervision. The provision relating to earned time reduction of sentence was expected to increase the number of offenders seeking treatment. It was also expected to increase the length of stay in prison, because those offenders who refuse to participate in treatment do not have their sentence reduced by earned time. The tables below show the number of sex offenders under supervision, in treatment, and the average length of stay in prison and CBC, by fiscal year.

Number of Sex Offenders Under Supervision as of June 30

	<u>FY 2005</u>	<u>FY 2006</u>	<u>FY 2007</u>
CBC	776	826	845
Prison	<u>1,156</u>	<u>1,211</u>	<u>1,213</u>
Total	1,932	2,037	2,058

Note: Prison figures represent most serious offense type of sex offense. CBC figures include registry violators and special sentences in addition to offense type of sex offense.

Source: Department of Corrections

The number of sex offenders under supervision in Iowa's correctional system has been growing. This number is anticipated to continue to increase, as offenders complete their original sentence, and then serve the special sentence of either ten years or life time supervision on parole. It is expected that the increasing number of sex offenders under supervision will drive demand for additional funding from the State General Fund.

Number of Sex Offenders in Treatment as of June 30

	<u>FY 2005</u>	<u>FY 2006</u>	<u>FY 2007</u>
CBC	653	670	747
Prison	<u>188</u>	<u>230</u>	<u>221</u>
Total	841	900	968

Source: Department of Corrections

The number of sex offenders in treatment has also been growing. Treatment capacity in the corrections system is driven by physical space, adequately trained and qualified staff, and funding. It appears the Mount Pleasant Correctional Facility is at capacity. Additional funding and space may be required to continue meeting the treatment provisions as mandated by HF 619.

Average Length of Stay in Months in Prison for Sex Offenders

		FY 2005	FY 2006	FY 2007
		23.8	24.0	23.9
CBC				
Prison	Crime Class			
	B Felony	146.1	138.7	140.7
	C Felony	53.0	53.0	56.3
	D Felony	31.8	26.3	34.7
	Agg. Misd.	11.8	9.0	9.6
	Ser. Misd.	6.9	3.7	0.0

Source: Department of Corrections; CJJP D

The average length of stay for supervision in CBC has remained relatively stable. This may be due to the fact that FY 2005 serves as the base year (before the enactment of HF 619). Also, there is only two years worth of data and most sex offenders are still serving their original sentence. Few offenders are currently serving time on the special sentence.

The decrease in length of stay in prison for Class B felony sex offenders is primarily due to the variability of sentence length by the various Class B types. More of these offenders are now being sentenced to the 70.0% requirement, where 70.0% of the sentence must be served in prison before being eligible for release consideration by the Board of Parole. The average length of stay in prison for sex offenders convicted of Class C and D felonies appears to be trending upward; however, due to a lack of data, no statistically valid conclusions may be reached. Regarding misdemeanors, most sex offenders convicted of misdemeanor offenses serve their sentence in the community under supervision. Few of these offenders are sent to prison so therefore, few are released. As an example, there were no serious misdemeanant sex offenders released in FY 2007, so the average length of stay in prison is zero.

Division Three enhances penalties for existing sex crimes. Enhancing penalties increases the average length of stay in prison and the incarceration rate (number of offenders sentenced to prison).

The three-year average incarceration rates by crime class are as follows: 89.33% for Class B felons, 63.08% for Class C felons, 70.65% for Class D felons, 26.2% for aggravated misdemeanants, and 2.9% for serious misdemeanants. For example, 89.33% of all sex offenders convicted of a Class B felony are sentenced to prison.

The enhanced penalties included in Division Three will have a correctional and fiscal impact. The correctional impact is based on historical sex offender return rates to prison, and assumes average length of stay in prison and incarceration rates will be similar to current practice.

Since the enactment of HF 619 at the start of FY 2006, the correctional impact of a special sentence has been minimal because that sentence does not begin until the underlying sentence has been served. The special sentence will increase the length of stay under correctional supervision; the length of stay is one of the determining factors driving the overall increase in the number of offenders supervised in the corrections system. The table below shows the estimated number of offenders who will receive a special sentence of parole of either life or ten years, and will be serving their sentence in CBC. The number of offenders sentenced to the additional ten years of supervision is expected to stabilize

around FY 2016. The number of offenders sentenced to the lifetime supervision sentence is expected to stabilize in about 30 years.

CBC - Cumulative Impact of the Special Sentence to Parole

	<u>FY 2009</u>	<u>FY 2010</u>	<u>FY 2011</u>	<u>FY 2012</u>	<u>FY 2013</u>	<u>FY2014</u>
Lifetime	15	30	124	258	417	601
Ten Years	147	271	476	732	950	1,109
	<u>162</u>	<u>301</u>	<u>600</u>	<u>990</u>	<u>1,367</u>	<u>1,710</u>

Source: CJJPD

The table below shows the estimated number of offenders who will receive a special sentence, and will be serving their sentence in prison.

Correctional Impact of Special Sentences - Cumulative Prison Population Increase

	<u>FY 2009</u>	<u>FY 2010</u>	<u>FY 2011</u>	<u>FY 2012</u>	<u>FY 2013</u>	<u>FY2014</u>
Offenders	5	13	24	38	54	66

Source: CJJPD

The table below shows the projected growth in the prison population due to the sentencing provisions of HF 619. The increase is due to the new Class A felony (limited impact), loss of earned time for refusing treatment (limited impact), enhancement of certain provisions related to lascivious acts with a child, and the additional sentence of parole.

Total Correctional Impact - Cumulative Prison Population Increase

	<u>FY 2009</u>	<u>FY 2010</u>	<u>FY 2011</u>	<u>FY 2012</u>	<u>FY 2013</u>
Offenders	103	171	232	270	319

Source: CJJPD

The limited correctional impact of the new Class A felony is due to two factors: few convictions and these offenders were already being sentenced to prison for a lesser offense (Class C felony) before the enactment of HF 619.

The limited correctional impact of the loss of earned time provision for refusing treatment is primarily due to the fact that most sex offenders are accepting treatment. The majority of those that originally refuse treatment change their minds and accept treatment.

Fiscal Impact

The fiscal impact of HF 619 is calculated based on an incremental increase of need to assure compliance with mandated DNA sampling, correctional supervision, and treatment of sex offenders. Since the enactment of HF 619, State agencies received \$9.9 million in new funding to implement the various provisions. The majority of this funding is now part of the base operating budget for these agencies.

Background Information

Division One expands the number and types of offenders required to submit a DNA sample. There is a projected shortfall of \$200,000 in the DCI crime lab supply budget for FY 2009, due to inflation factors, and the number of DNA samples collected. There is currently a backlog of offenders who are required to submit a DNA sample. The number of samples collected is anticipated to decrease in future fiscal years as that backlog is eliminated.

Division Two requires sex offenders whose victim was a minor to be supervised by an electronic monitoring device. On September 4, 2007, there were 512 sex offenders on electronic monitoring devices. They were supervised by voice verification (3.0%), radio frequency (1.0%), and Global Positioning System (GPS) (96.0%). Bracelet costs per day are \$1.85 for voice verification, \$2.25 for radio frequency, and \$7.88 for GPS.

The number of offenders required to be electronically monitored increases each fiscal year, until at least FY 2028. This is due to the special sentence (additional ten years or lifetime supervision). Division Two also requires sex offenders to complete treatment while in prison or they are ineligible for earned time reduction of sentence.

Division Three creates a new Class A felony. No one has been convicted of the new Class A felony during FY 2006 and FY 2007, the first two years of available data. Therefore, the fiscal impact of the enhanced penalty for that type of crime is expected to be minimal.

The marginal cost per day for State prisons is \$16.65 per inmate.

The FY 2009 cost of a Parole/Probation Officer II will be \$54,000. The FY 2009 cost of a Parole/Probation Officer III will be \$60,000.

Assumptions

No additional staff will be required for the DPS or the DOC to maintain compliance with Division One (DNA Profiling).

The provisions of Division Two that relate to the Sex Offender Registry, risk assessments, civil commitments and safekeepers, hormonal therapy, and the 2,000 foot residency rule are not anticipated to have a significant fiscal impact in future fiscal years. The General Assembly has already appropriated funds within the operating budgets of the DPS, the DOC, and the DHS for any costs associated with these provisions.

Housing offenders in CBC residential facilities so they comply with the residency requirements of the 2,000 foot rule may impact bed availability for offenders convicted of

other offenses. This fiscal analysis does not include capital costs associated with building additional CBC residential facilities.

The provisions in Division Two of HF 619 that relate to child abuse do not appear to have a significant fiscal impact. The number of child abuse assessments completed increased from FY 2005 to FY 2006 by 6.0%. However, they decreased by 8.0% from FY 2006 to FY 2007.

Division Two of House File 619 expanded the definition of child endangerment to include cohabitation with a person after knowing that person is required to be on the Sex Offender Registry. However, the steady increase in convictions for child endangerment appears to be unrelated to the provisions of HF 619.

The provisions of Division Two that relate to electronic monitoring requirements and sex offender treatment are anticipated to have a significant fiscal impact in future fiscal years. Cost estimates are based on the current administration of the Act. For example, 96.0% of sex offenders wearing an electronic monitoring device are on a GPS device. It is assumed this percentage will not be reduced be valid in future fiscal years.

The DOC estimates treatment costs of \$60,000 for every 35 offenders admitted to treatment at Mount Pleasant. This estimate covers salary and support costs of additional treatment staff. This figure does not include the marginal costs of housing an inmate.

The Mount Pleasant Correctional Facility is at capacity. This fiscal analysis does not include capital costs associated with building additional space at Mount Pleasant. Fiscal Year 2009 costs in this analysis include an increase at Mount Pleasant to address the backlog of sex offenders awaiting treatment. The backlog accumulated over the last several fiscal years. If additional space is provided, there will be a demand for significant funds periodically.

The enhanced penalties included in Division Three will have a fiscal impact. The fiscal impact is based on the assumptions that average length of stay in prison and incarceration rates will be similar to current practice. The special sentence provisions are expected to have a significant fiscal impact. The fiscal impact is driven by the correctional impact of the increasing number of offenders on special sentences in FY 2009 (162) and FY 2010 (301).

The provisions of HF 619 that relate to Division Four (Victim Rights) and Division Five (Task Force) are not anticipated to have a significant fiscal impact in future fiscal years. Federal funds may be available (Victim Rights), and the General Assembly has already appropriated funds within the operating budget (Division Five).

Fiscal Impact

The overall fiscal impact for HF 619 is estimated to be \$2.5 million in FY 2009, and \$3.2 million in FY 2010. These amounts are in addition to the \$9.9 million in additional funds that have been appropriated since FY 2006. Costs will continue to increase in future fiscal years due to anticipated increases in costs for the correctional system (mandated electronic monitoring, supervision, and treatment), and prosecution and defense.

Summary of Fiscal Impact by Department

<u>Department</u>	<u>FY 2009</u>	<u>FY 2010</u>
Public Safety	200,000	200,000
Corrections	2,080,000	2,793,000
State Public Defender	82,000	82,000
Judicial Branch	38,000	38,000
Prosecution	82,000	82,000
Total Costs	<u>\$ 2,482,000</u>	<u>\$ 3,195,000</u>

Prosecution costs will be incurred by either the Office of the Attorney General or the general fund of the county where the offense occurred.

The fiscal impact does not include additional costs to the court system and prosecution and defense attorneys for any future constitutional challenges. Each challenge may cost an additional \$10,000 to the Attorney General's Office, \$10,000 to the State Public Defender's Office, and \$42,000 to the Judicial Branch.

It is anticipated the demand for additional resources will continue each year until at least FY 2028, when the number of sex offenders entering the corrections system may equal the number leaving the system through discharge of their sentence or death.

Division by Division Summary

Division One – DNA Profiling

This Division required the following offenders to submit a sample for DNA profiling: sexual predators, juveniles adjudicated as delinquent for offenses that require DNA profiling of an adult offender, those found not guilty by reason of insanity, those receiving a deferred judgment for a felony, or where a judgment for a felony has been entered, those offenders required to register on the Sex Offender Registry, and all felons. This authority applies to past and present convictions as well as federal offenders and includes the Department of Corrections (DOC) compact and interstate compact transfers both to and from Iowa. This Division took effect upon enactment which was June 14, 2005. A person who refuses to submit a DNA sample is subject to contempt proceedings.

House File 619 (2005 Sex Offender Act) contained provisions to permit certain defendants to make a motion to the court to require DNA analysis of evidence. Based on a survey of Executive and Judicial Branch staff, it appears no defendant has petitioned the court to require a DNA sample.

Since the enactment of HF 619, no one has contested the collection of a DNA sample. In addition, there have been no contempt of court proceedings. The last challenge to DNA samples was in Schreiber, et al v. State of Iowa, 666 N.W. 2nd 127 (2003). This was a case where prisoners at Fort Madison challenged the provisions of Section 13.10, Code of Iowa, requiring blood samples for DNA profiling as being unconstitutional on ex post facto grounds, because they had not been sentenced to have their DNA taken. The Supreme Court ruled the statute was constitutional.

The Act imposed a graduated system of penalties (aggravated misdemeanors and Class D felonies) for criminal offenses related to DNA profiling. Since the enactment of HF 619, there have been no convictions under Section 81.6, Code of Iowa, for knowingly or intentionally disclosing any part of a DNA record; using or obtaining a DNA record for a purpose other than what is authorized in Chapter 81, Code of Iowa, or altering or falsifying DNA or the collection container.

Department of Public Safety

With the enactment of HF 619, it took approximately six months for the Crime Lab to order, install, and calibrate the required instrumentation, establish a sample collection network, and assign personnel. Below are the profile entries by fiscal year for the Combined DNA Index System (CODIS). Due to the lag in start up of profile collection, FY 2006 and FY 2007 would be most indicative of the number of profiles collected since the enactment of HF 619, which was June 14, 2005. Of the profiles listed below, it is unknown how many samples were from sex offenders, felons, and adjudicated delinquents.

CODIS Profile Entries

FY 2002 – 0

FY 2003 – 3,109

FY 2004 – 493

FY 2005 – 521

FY 2006 – 7,040

FY 2007 – 25,635

Based on information from the DOC and assuming no change in current law, the Division of Criminal Investigation (DCI) anticipates processing approximately 10,300 samples in FY 2008 and 14,000 samples in FY 2009. There are currently three criminalists assigned to profiling full-time. As the numbers above reflect, the Crime Lab processed a large amount of backlogged samples in FY 2007 and continues to make progress on the backlog in FY 2008; however, every day more samples are received.

The Crime Lab is responsible for storing DNA profiles. The Crime Lab uses a large filing system similar to what is in a doctor's office. The current system is estimated to hold approximately 80,000 files. As of August 20, 2007, there have been 37,000 files processed. Over the next three years, the Department anticipates the need to explore long-term storage options.

Department of Corrections

During FY 2006, there were 5,551 new admissions to Community-Based Corrections (CBC) and the prison system for DNA eligible crimes. During FY 2007, there were 7,565 admissions, which is an increase of 36.3%. If this level of increase continues, it is anticipated that approximately 10,300 admissions in FY 2008 would be for DNA eligible crimes and 14,000 admissions in FY 2009.

Although the DPS purchases the kits, the DOC distributes the kits to the institutions. There are approximately 18,600 kits on hand in the DOC for use in FY 2008 and FY 2009. The DOC anticipates there should be enough kits for FY 2008. An additional 5,700 kits may need to be purchased to complete DNA profiling during FY 2009.

Budget Information

Since the enactment of HF 619, the Department of Public Safety has hired three additional criminalists through the DCI operating budget.

The cost of a DNA collection kit and the associated consumables for processing the profile sample is \$31.50. (This includes \$2.00 for the collection kit used by the DOC and \$29.50 for the analysis supply kit used by the DCI.) This figure is based on the current market rates for bulk purchases, the cost of consumables used to collect and process the sample, and the transfer envelope for mailing. This does not include any staff time to process the sample or to enter the profile into CODIS.

The two major variables that affect the budget are the number of samples and the cost of consumables. In FY 2007, the DCI crime lab received a supplemental appropriation of \$220,000 for consumable supplies for the DNA All-Felons Database.

The total for the FY 2008 crime lab supply budget is \$566,942. These supplies are used for case work activities as well as DNA profiling. If the DCI processes approximately 10,300 samples in FY 2008, the cost for DNA profiling consumables would be

approximately \$309,000. The DCI plans to use salary savings generated from departmental vacancies to supplement the projected budget deficit for lab supplies in FY 2008.

For FY 2009, additional kits will need to be purchased. Based on a status quo budget for FY 2009, the DCI estimates a laboratory supply shortfall of approximately \$200,000.

Division Two – Sex Offender Registry, Treatment, Interim Study

This Division amended statutory language related to child abuse and child endangerment; the 2,000 foot residency rule; the Sex Offender Registry; the sentencing, treatment, and supervision of convicted sex offenders; public notification requirements; enhanced penalties for repeat offenders; provides civil immunity to persons involved in the administration of drugs for hormonal therapy; and requests an interim study on sex offenses.

Sex Offender Registry

The Sex Offender Registry was created in 1995 by the Sex Offender Registry Act. Under current law, an offender remains on the Registry for a minimum of ten years and in some instances, life-time registration is required. Due to the recent enactment of federal legislation, some of these requirements may be changing if the State of Iowa adopts the provisions in the Adam Walsh Act. If Iowa chooses not to comply, it will result in a loss of federal funds.

House File 619 required annual updates of offender photographs. County sheriffs are required to provide relevant information to the public at no charge, and to provide information to the administrative office of school districts in certain circumstances. The Act requires offenders to remain on the Sex Offender Registry for 10 more years if they receive a special sentence or if they violate certain address requirements of the Registry.

As of October 1, 2007, there were 6,157 total registrants on the Sex Offender Registry. Of this number, 1,104 are lifetime registrations (17.9%) and 1,670 are registrants living out-of-State (27.1%). As of September 1, 2007, 1,595 registrants have been removed from the Sex Offender Registry for completion of the 10 year requirement.

Juveniles are required to register with the Sex Offender Registry once they have been adjudicated for certain sex offenses, unless a juvenile court judge waives the registration requirement. Under current law, a juvenile on the Sex Offender Registry may “age out” of the system before the 10 years is up resulting in a person on the Sex Offender Registry who is no longer under the supervision of the juvenile court or the Department of Corrections/Community-Based Corrections.

As of September 14, 2007, there were 1,404 sex offenders in prison. Of these, 1,205 offenders’ most serious offense was a sex offense. Fifteen of these offenders’ most serious sentences were for Sex Offender Registry violations. Of the 1,205 offenders, 236 or 19.6%, are repeat offenders. The previous incarceration may or may not have been for a sex offense.

2,000 Foot Residency Rule

House File 619 redefined “residence” to include a shelter or group home. Sex offenders may not live within 2,000 feet of a school or daycare facility. Sex offenders may live in a shelter or group home as long as that residence is not within 2,000 feet of a school or daycare facility. Noncompliance is punishable as an aggravated misdemeanor. The table below indicates that there were 72 convictions for residency violations for FY 2007.

Total Convictions for Residency Violations

<u>FY 2005</u>	<u>FY 2006</u>	<u>FY 2007</u>
3	121	72

Source: Department of Human Rights, Criminal and Juvenile Justice Planning Division (CJJPD)

NOTE: Offenders in the table above may have had a more serious conviction (felony) as well as the residency violation. Residency requirements do not appear to be a factor in the length of stay in prison. Most of these offenders serve their full sentence in prison for a more serious conviction (felony rather than the aggravated misdemeanor). The table below shows the number of offenders whose most serious offense was a violation of the residency requirements. That is, they are under correctional supervision because their most serious offense was a violation of the residency requirements.

Offenders Whose Most Serious Offense is a Residency Violation

	<u>FY 2005</u>	<u>FY 2006</u>	<u>FY 2007</u>
CBC	0	31	32
Prison	0	0	4

Source: CJJPD

NOTE: There are more offenders with more serious convictions. They are not included in the numbers above because they would be in the corrections system whether or not they violated residency requirements.

Residency requirements for sex offenders may be impacting bed availability in CBC residential facilities. There are approximately 50 sex offenders housed in CBC residential facilities because there is no community placement available, due to the 2,000 foot residency rule. They are housed in beds that could be used for other offenders.

Current capacity is 1,440 beds in 22 residential facilities operated by the eight CBC District Departments. There were 835 offenders waiting for a bed in these facilities on October 3, 2007. These offenders may be currently housed in county jails, state or federal prisons, or supervised in field services in CBC. The legal status of the 835 offenders is: 71 federal, 66 Operating While Intoxicated (OWI), 6 parole, 417 probation, and 380 work release.

The Iowa Supreme Court upheld the 2,000 foot residency rule on July 29, 2005. (*State v. Seering*). In July 2006, the District Court dismissed a case against Benjamin Groves for violating the residency restrictions under Section 692A.2A, Code of Iowa. The Supreme Court heard oral arguments on October 17, 2007.

Child Abuse and Child Endangerment Definitions

House File 619 expanded the definition of child abuse to include cohabitation with someone on the Sex Offender Registry. The Department of Human Services (DHS) investigates all allegations of abuse. Before the enactment of HF 619, the DHS could not assess an allegation of child abuse based solely on a convicted sex offender residing in the home. The Act increased the potential number of people who could be investigated for child abuse, by including offenders required to register on the Sex Offender Registry as

well as convicted sex offenders. The table below provides information related to child abuse.

Child Abuse and Cohabiting Sex Offender Cases

	<u>FY 2005</u>	<u>FY 2006</u>	<u>FY 2007</u>
Child Abuse Assessments Completed	24,146	25,815	23,563
Cohabiting Sex Offender Founded Cases	0	137	77

NOTE: Child Abuse Assessments Completed includes all allegations of abuse, not just abuse related to sex offenders.

Source: Department of Human Services

Child abuse is a civil matter which may result in removal of children from the household. Investigators may refer child abuse allegations to the county attorney, who may pursue a criminal conviction for child endangerment.

The Act expanded the definition of child endangerment to include cohabitation with a person after knowing that person is required to be on the Sex Offender Registry. Married couples are exempt from the definition of child endangerment. The law imposes a graduated system of penalties for child endangerment, ranging from an aggravated misdemeanor to a Class B felony. The table below shows the number of convictions for child endangerment by offense class.

Child Endangerment Convictions

<u>Offense Class</u>	<u>FY 2004</u>	<u>FY 2005</u>	<u>FY 2006</u>	<u>FY 2007</u>
Agg. Misd.	429	454	493	659
D Felony	36	39	43	68
C Felony	2	0	22	20
B Felony	0	1	0	1
Total	467	494	558	748

Source: CJJPD

Child endangerment convictions have been steadily increasing. This may be due to more reports being filed with county attorneys and increased emphasis on child protection. The increase is unlikely to be related to the provisions of HF 619.

Electronic Monitoring

The Act required sex offenders whose victim(s) was a minor to be supervised with an electronic monitoring system while on parole, probation, work release, or special sentence for at least five years.

The following table shows the number of sex offenders on electronic monitoring in Community-Based Corrections on September 4, 2007.

Offenders on Electronic Monitoring: September 4, 2007
(By Judicial District and Sex Offender Status)

Region	Total on EMS	Not on Sex Offender Registry, or in Sex Offender Treatment Program	Total Sex Offenders on EMS	% Sex Offenders
First CBC	100	1	99	99%
Second CBC	93	9	84	90%
Third CBC	81	31	50	62%
Fourth CBC	41	5	36	88%
Fifth CBC	139	43	96	69%
Sixth CBC	89	26	63	71%
Seventh CBC	39	3	36	92%
Eighth CBC	51	3	48	94%
Statewide	633	121	512	81%

Source: ICON (Iowa Corrections Offender Network)

Non-sex offenders may be placed on electronic monitoring. Examples include federal home confinement, youthful offenders, OWI, and domestic violence.

The following table shows the type of electronic monitoring device used in CBC in FY 2006 and FY 2007.

Total Electronic Monitoring Devices Used in Community-Based Corrections by Fiscal Year

Type of Device	Bracelet Cost Per Day	Total Served	
	Per Offender	FY 2006	FY 2007
Voice Verification	\$1.85	296	194
Radio Frequency	\$2.25	716	521
Video Display/VB	N/A	119	51
Video Display/BAT	\$5.00	53	109
GPS	\$4.98	17	313
GPS Cellular	\$7.88	22	307
Statewide Total		1,223	1,495

Source: Department of Corrections

NOTE: The cost per bracelet does not include supervision costs (salary and support costs for Parole and Probation Officers).

The number of sex offenders wearing electronic monitoring devices will continue to increase in future fiscal years. This is primarily due to the increased length of stay under CBC supervision (Division Three of HF 619 increased sentence length for certain sex offenders) and the requirement that offenders wear a bracelet for five years.

Generally, offenders on electronic monitoring are supervised at the intensive supervision level – no more than 30 offenders per Probation/Parole Officer (PPO III).

Regarding juvenile court information, there are a limited number of juveniles being supervised with an electronic monitoring device.

Risk Assessments

House File 619 required the DPS, Department of Corrections (DOC), and the DHS to develop methods and procedures for the risk assessment of sex offenders. For Sex Offender Registry purposes, the DOC completes a Static-99 assessment if applicable (offenders must be male and meet some other criteria); otherwise, the DOC submits an Iowa Sex Offender Risk Assessment – 8 (ISORA-8) if the Static-99 does not apply. The Static-99 has been validated in many jurisdictions in the United States and in other countries. The ISORA-8 was constructed based on a sample of over 1,000 offenders placed on the Iowa Sex Offender Registry. The DOC is in the process of establishing a validation study on both tools, using Iowa offenders.

Risk assessments for juveniles are completed by the Department of Human Services or its designee, or juvenile court officers in the Judicial Branch. The Department of Human Services and juvenile court officers are using the Juvenile Sexual Offense Recidivism Risk Assessment Tool (J-SORRAT) to determine risk levels for juvenile sex offenders. A validation study is currently in process.

Risk assessments are subject to Chapter 17A proceedings (Iowa Administrative Procedures Act) where an offender may contest the risk assessment score. The risk assessment provision may result in additional administrative hearings. The number of contested cases completed by the DPS since the enactment of HF 619 is four. The DOC/CBC District Departments complete the majority of risk assessments. There were 13 contested cases completed in FY 2006 and 10 in FY 2007, by the DOC and CBC District Departments.

Sex Offender Treatment Program

Prison

House File 619 requires sex offenders to complete treatment while in prison or they will not be eligible for earned time reduction of sentence. The Mount Pleasant Correctional Facility offers several treatment programs for sex offenders:

- Standard program of 16 to 18 months. There are 173 beds dedicated to this program, and the waiting list was 573 offenders in September 2007.
- Short term program for offenders serving sentences of two years or less. There are 22 beds dedicated to this six month program, and the waiting list was five offenders in September 2007.
- Hispanic program of 16 to 18 months was developed as a first of its kind in the nation. There are 15 beds dedicated to this program; the waiting list was eight offenders in September 2007.
- Special needs program. There are 78 beds dedicated to this program, and the waiting list was 13 offenders in September 2007.
- ACT (Accountability, Character, Truth) Unit is for offenders who refuse treatment, have disciplinary issues, or failed to progress in treatment. Offenders are able to re-enter sex offender treatment if progress is made in the Unit. Earned time is reinstated once they re-enter treatment. There were 56 offenders in this 88-bed unit in September 2007.
- Women's program. There are 15 beds dedicated to the program, and there were six women in treatment in September 2007.

Under the Act, offenders are not eligible for earned time reduction of sentence unless they participate in and complete a Sex Offender Treatment Program. There have been 29 offenders who first refused treatment, but then decided to go to treatment since the inception of HF 619. These offenders lost a net total of 3,952 days as a group; the number of days lost per offender ranges from two to 562.

Unless there is a life sentence involved or a mandatory minimum to be served, an offender would technically become eligible for parole; however, not completing the Treatment Program becomes a factor in recommending the person for release. Since July 2005, when HF 619 took effect, there have been 41 offenders who refused treatment and have never completed treatment.

CBC District Departments

Each of the eight CBC District Departments operate a Sex Offender Treatment Program, comprised of group and individual counseling, polygraph, plethysmograph testing, relapse prevention, and aftercare. The Program is designed to serve parolees from Mount Pleasant as well as offenders on probation. There were 747 sex offenders in treatment statewide in CBC on June 30, 2007. Length of stay in treatment is subject to several variables, including length of time remaining on supervision and progression through the program. Generally, offenders remain in treatment between 18 and 24 months.

The DOC and CBC District Departments received additional funding for treatment and supervision due to the enactment of HF 619. The Table below shows General Fund allocations by fiscal year. The General Assembly appropriated these funds for implementation of Division Two (Sex Offender Registry, Treatment, Interim Study) and Division Three (Enhanced Penalties).

**General Fund Appropriations for Sex Offender
Supervision, Treatment, and Monitoring**

District	FY 2005 Total	FY 2006 Total	FY 2007 Total	FY 2008 Total
1	\$ 428,852	\$ 639,892	\$ 752,374	\$ 993,336
2	475,737	663,077	775,559	1,018,042
3	0	81,500	193,982	349,480
4	75,768	168,419	224,660	315,100
5	640,032	1,282,587	2,606,411	3,014,626
6	482,233	653,573	766,055	977,356
7	192,594	376,781	489,263	669,383
8	320,216	512,056	624,538	850,289
	<u>2,615,432</u>	<u>4,377,885</u>	<u>6,432,842</u>	<u>8,187,612</u>
Central Office	0	0	82,590	82,590
Newton	0	0	560,000	560,000
Mount Pleasant	690,388	1,440,388	1,690,388	1,690,388
Total	<u>\$ 3,305,820</u>	<u>\$ 5,818,273</u>	<u>\$ 8,765,820</u>	<u>\$ 10,520,590</u>

Note: Fifth CBC District Department has the budget for bracelets.

FY 2005 budget included \$230,000 for bracelets.

FY 2006 budget included an additional \$417,195 for bracelets.

FY 2007 budget included an additional \$948,326 for bracelets. The total budget for bracelets in FY 2007 = \$1,595,521.

FY 2008 budget request did not include any additional funding for bracelets.

The District Departments charge sex offenders for treatment costs.

These local receipts are not included in the amounts listed above.

The dollar values reflect the amounts appropriated, not actual expenditures or the amount budgeted in any given year.

Source: LSA

Civil Commitment Program at Cherokee and Safekeepers Program at Newton

Chapter 229A, Code of Iowa, provides for the Sexually Violent Predator Program, where a small but extremely dangerous group of sexually violent predators, who do not have a mental disease or defect that renders them appropriate for involuntary treatment are housed in a Civil Commitment Program for long-term care and treatment as a sexually violent predator. A sexually violent predator is a person who has been convicted or charged with a sexually violent offense and who suffers from a mental abnormality which makes the person likely to engage in predatory acts constituting a sexually violent offense, if not confined to a secure facility.

As of August 2007, there were 68 patients in the Civil Commitment Program at Cherokee. No one has discharged from the Program; however, there are currently five people on

transitional release. There have been 12 post-commitment dismissals where a patient, due to reasons other than successfully completing treatment, was released from the Program. They are as follows:

- Re-evaluations 2
- Retrial Verdicts 3
- Legal Challenges 5
- Death 2

As of August 8, 2007, there were eight Safekeepers at Newton. A Safekeeper is a person who is confined in a secure facility but is not subject to an order of commitment. If the court determines that probable cause does exist, the court will direct the respondent to be transferred to Newton for an evaluation as to whether or not the person is a sexually violent predator.

Hormonal Therapy

House File 619 grants immunity from civil damages for those people who administer hormonal intervention therapy to sex offenders. This provision has no correctional or fiscal impact. This provision has rarely been used since its inception.

	Hormonal Therapy for Sex Offenders			
	FY 2004	FY 2005	FY 2006	FY 2007
CBC	4	1	2	7
Prison	0	0	1	0
Total	4	1	3	7

Source: Department of Corrections

Sex Offender Interim Study Committee

The Act requested that a legislative study be created. The Legislative Council did not create such a study.

Division Three – Enhanced Penalties

This Division enhanced penalties for certain sex offenses. According to the Criminal and Juvenile Justice Planning Division of the Department of Human Rights, the full impact of HF 619 on Iowa's corrections system is not expected to be reached until at least FY 2028. By that time, the number of offenders leaving the corrections system (either by serving the full sentence or dying) is expected to equal the number of offenders entering the system.

Lascivious Acts With A Child

House File 619 enhanced the penalty for lascivious acts with a child from a Class D to a Class C felony, for certain acts; the age of the offender is lowered from 18 to 16 years of age. In FY 2006, there were 34 Class C felony convictions and 73 Class D felony convictions. In FY 2007, there were 71 Class C felony convictions and 53 Class D felony convictions.

New Class A Felony

The Act created a new Class A felony. If an offender commits a second or subsequent offense for sexual abuse in the second or third degree, or lascivious acts with a child, or any combination thereof, then the penalty is a Class A felony (life in prison). Since the enactment of HF 619, there have been no convictions for the new Class A felony.

Statute of Limitations Extension

The Act extended the statute of limitations by three years for certain sex offenses. Since the enactment of HF 619, there are no known cases. In some of these cases the age of the victim is available, but it would not necessarily help determine that the event happened to the person as a child.

Special Sentences

The Act created a new special sentence of either life or ten years of additional supervision. Offenders convicted of a Class B or C felony for sex abuse or sexual exploitation of a minor shall be sentenced to a life term, eligible for parole. The special sentence begins once the underlying sentence has been served. The special sentence shall be served as though the offender was on parole.

In FY 2006, there were 117 offenders eligible for life-time supervision. In FY 2007, there were 213 offenders eligible for life-time supervision. The number of offenders being supervised is expected to stabilize in approximately 30 years.

Offenders convicted of a Class D felony or misdemeanor for sex abuse, incest, or sexual exploitation of a minor shall be sentenced to an additional ten years, but are eligible for parole. The special sentence begins once the underlying sentence has been served. Because the special sentence shall be served as though the offender was on parole, earned time is accruing. So, the ten year sentence will actually be somewhat less than five years if the offender receives all earned time credits.

In FY 2006, there were 116 offenders eligible for ten-year supervision. In FY 2007, there were 254 offenders eligible for ten-year supervision. The number of offenders being supervised is expected to stabilize around FY 2016.

According to the Department of Corrections, there are 314 offenders in August 2007 who are subject to special sentence provisions under Chapter 903B, Code of Iowa. Of the 314, 11 offenders are currently under special sentence supervision in the community. During FY 2007, there were two offenders serving the special sentence that were revoked back to prison. One offender's special sentence was revoked multiple times.

The following table shows offenders by type of special sentence (10 years vs. life time supervision) and current location. Although these offenders are subject to provisions of Chapter 903B, Code of Iowa, most are not actively serving a special sentence. Rather, they are under custody or supervision for the sex offense that triggered the provision of Chapter 903B, Code of Iowa. They will start to serve the special sentence once the underlying sentence is served.

**Offenders With Chapter 903B Special Sentences
August 23, 2007**

Location	Special Supervision Sentence-B or C Fel/Lifetime Parole	Special Supervision Sentence-D Fel or Misd/10 years parole
First CBC	7	12
Second CBC	0	11
Third CBC	2	11
Fourth CBC	1	4
Fifth CBC	9	20
Sixth CBC	8	13
Seventh CBC	0	4
Eighth CBC	2	10
Anamosa	18	3
Clarinda	7	2
Fort Dodge	9	3
Mitchellville	1	0
Oakdale	69	9
Fort Madison	7	3
Mount Pleasant	22	38
Newton	5	4
TOTAL	167	147

Please note the above counts are mainly comprised of offenders who are currently under custody or supervision for the sex offenses for which the special sentence applies, and will become active at a later date.

Source: Department of Corrections

House File 619 permits early discharge from the special sentence. To date, no one has discharged from a special sentence.

Correctional Impact

Division Three enhances penalties for existing sex crimes. Enhancing penalties increases the average length of stay in prison and the incarceration rate (number of offenders sentenced to prison). The average length of stay in prison for a sex offender is shown in the table below.

Average Length of Stay in Months in Prison for Sex Offenders

		FY 2005	FY 2006	FY 2007
CBC		23.8	24.0	23.9
Prison	Crime Class			
	B Felony	146.1	138.7	140.7
	C Felony	53.0	53.0	56.3
	D Felony	31.8	26.3	34.7
	Agg. Misd.	11.8	9.0	9.6
	Ser. Misd.	6.9	3.7	0.0

Source: Department of Corrections; CJJPD

The average length of stay in prison for Class B felons is anticipated to increase in future fiscal years, because more of these offenders are receiving the 70.0% sentence.

The three-year average for incarceration rates by crime class is as follows: 89.33% for Class B felons, 63.08% for Class C felons, 70.65% for Class D felons, 26.2% for aggravated misdemeanants, and 2.9% for serious misdemeanants. For example, 63.08% of all sex offenders convicted of a Class C felony are sentenced to prison.

The enhanced penalties included in Division Three will have a correctional and fiscal impact. The correctional impact is based on historical sex offender return rates to prison, and assumes average length of stay in prison and incarceration rates will be similar to current practice.

Since the enactment of HF 619 at the start of FY 2006, the correctional impact of a special sentence has been minimal because that sentence does not begin until the underlying sentence has been served. The special sentence will increase the length of stay under correctional supervision; the length of stay is one of the determining factors driving the overall increase in the number of offenders supervised in the corrections system. The table below shows the estimated number of offenders who will receive a special sentence of parole of either life or ten years, and will be serving their sentence in CBC. The number of offenders sentenced to the additional ten years of supervision is expected to stabilize around FY 2016. The number of offenders sentenced to the lifetime supervision sentence is expected to stabilize in about 30 years.

CBC - Cumulative Impact of the Special Sentence to Parole

	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY2014
Lifetime	15	30	124	258	417	601
Ten Years	147	271	476	732	950	1,109
	162	301	600	990	1,367	1,710

Source: CJJPD

The table below shows the estimated number of offenders who will receive a special sentence, and will be serving their sentence in prison.

Correctional Impact of Special Sentences - Cumulative Prison Population Increase

	<u>FY 2009</u>	<u>FY 2010</u>	<u>FY 2011</u>	<u>FY 2012</u>	<u>FY 2013</u>	<u>FY2014</u>
Offenders	5	13	24	38	54	66

Source: CJJPD

The table below shows the projected growth in the prison population due to the sentencing provisions of HF 619. The increase is due to the new Class A felony (limited impact), loss of earned time for refusing treatment (limited impact), enhancement of certain provisions related to lascivious acts with a child, and the additional sentence of parole.

Total Correctional Impact - Cumulative Prison Population Increase

	<u>FY 2009</u>	<u>FY 2010</u>	<u>FY 2011</u>	<u>FY 2012</u>	<u>FY 2013</u>
Offenders	103	171	232	270	319

Source: CJJPD

The limited correctional impact of the new Class A felony is due to two factors: few convictions and these offenders were already being sentenced to prison for a lesser offense (Class C felony) before the enactment of HF 619.

The limited correctional impact of the loss of earned time provision for refusing treatment is primarily due to the fact that most sex offenders are accepting treatment. The majority of those that originally refuse treatment change their minds and accept treatment.

Division Four – Victim Rights

This Division required applicants for employment at domestic abuse or sexual assault centers to submit to a criminal history background check. The applicants are required to pay for the background check. The Act also mandated that local law enforcement take certain actions if a peace officer believes that a sexual assault has occurred. House File 619 (2005 Sex Offender Act) granted immunity to local law enforcement for actions taken in good faith under this Division. The actions included remaining in the dwelling unit where the alleged assault occurred or assisting the victim in leaving the dwelling, assisting the victim in obtaining medical treatment, and providing notice to the victim of his or her rights.

This Division permits the Iowa Victim Information and Notification Everyday (IowaVINE) to be established. Senate File 70 (2007 Crime Victim Assistance Act) required the Department of Justice, Crime Victim Assistance Division to maintain the system.

Department of Justice

The Crime Victim Assistance Division provides funding to domestic abuse and sexual abuse shelters. Administrative rules require that funded shelters meet the standards of the Iowa Coalition Against Domestic Violence (ICADV) and the Iowa Coalition Against Sexual Assault (IowaCASA).

The Coalitions developed guidelines for shelters to use in implementing background checks for employees. The IowaCASA was permitted to use federal funds from the Violence Against Women Act (VAWA) to print and distribute information cards for peace officers to use to meet the victim notification requirements in HF 619. IowaCASA continues to send refills to local law enforcement as needed. The cost is approximately \$6,300 in federal funds.

The Crime Victim Assistance Division of the Iowa Department of Justice was awarded \$1.2 million in federal funds to implement the IowaVINE system. The vendor, Appriss, Inc., provided all of the hardware, software, and training necessary to implement IowaVINE. The computers sweep existing databases every 15 minutes and transfer the data to secure servers in Louisville, Kentucky. The Department of Justice started implementing the system in December 2006. It plans to deploy the computer-based system across Iowa, starting with the county jails and the Department of Corrections (DOC). Future plans include the possibility of connecting to other agencies within the juvenile, civil, and criminal justice systems.

As of September 2007, there were 35 county jails representing over 60.0% of the jail beds in Iowa connected to the IowaVINE system. A total of 91 counties plan to join IowaVINE. Connectivity with the Iowa Department of Corrections (DOC) is being tested and anticipated to be activated by the end of calendar year 2007.

Crime victims may register with the county attorney or directly with the IowaVINE system. Victims may access the information either by a toll-free telephone number (888-742-8463) or through the web site (<http://www.vinelink.com/vinelink/initMap.do>). As of August 2007, there were 975 people registered for notification with IowaVINE. There have been 43,137 computer searches on IowaVINE and 875 phone calls to IowaVINE for information. There

have been 453 e-mail notifications delivered and 333 phone notifications delivered to registered victims on IowaVINE.

In the future, IowaVINE may be blended with the Criminal Justice Information System (CJIS) currently being developed by the Criminal and Juvenile Justice Planning Division of the Department of Human Rights. The CJIS transmits justice system information, such as that of the DOC and the Judicial Branch, to other justice agencies in a common format. Future plans call for selected pieces of that information to be transmitted to the State's Justice Data Warehouse for statistical analysis.

Division Five – Task Force

This Division created a Task Force within the Department of Human Rights, Criminal and Juvenile Justice Planning Division. The Act delineates the duties of the Sex Offender Treatment and Supervision Task Force and stipulates membership on the Task Force. The Task Force is required to make “periodic recommendations for treating and supervising sex offenders in correctional institutions and the community.”

Department of Human Rights

House File 811 (FY 2006 Justice System Appropriations Act) included \$75,000 for Department of Human Rights staff for the Sex Offender Treatment and Supervision Task Force. This appropriation is now included in the operating budget.

The Task Force has been established and has formed work groups, one group to study each issue (e.g. electronic monitoring, risk assessments, etc.). Criminal and Juvenile Justice Planning staff is currently tracking down completed studies, talking to the National Center for Sex Offender Management, setting up court data monitoring plans, and attending DOC risk assessment-related planning and training meetings. Two reports, dated January 15, 2006, and January 15, 2007 have been filed with the General Assembly. These reports are available on the web at:
<http://www.state.ia.us/dhr/cjip/sex%20offender%20task%20force/index.html>.

The next Task Force report is due January 15, 2008.

APPENDIX H

Issue Reviews

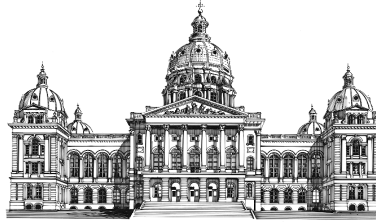
State Fire Marshal's Office

Outstanding Court Debt

Adult Drug Courts

Iowa Legislative Services Agency Fiscal Services

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State Capitol
Des Moines, IA 50319
December 4, 2007

State Fire Marshal's Office

ISSUE

This **Issue Review** provides an overview of the current responsibilities of the State Fire Marshal's Office and current funding and personnel levels.

AFFECTED AGENCIES

Department of Public Safety

CODE AUTHORITY

Chapters 80, 100, 100A, 100B, 100C, 101, 101A, 102, 103A, 104A, and 104B Code of Iowa
Section 904.318, Code of Iowa
661 Iowa Administrative Code, Chapters 5, 16, 51, 53, 201, 202, 205, 226, 231, 251, 259,
275, 300, 301, 302, 303, 350, and 372

BACKGROUND

The State Fire Marshal is statutorily required to enforce laws related to arson; to investigate cause, origin, and circumstances of fires; to promote fire safety; to enforce all laws, rules, and regulations concerning the prevention of fires and the storage, handling, and transportation of flammable liquids, combustibles, explosives, and liquefied petroleum gas; and to promulgate fire safety rules.

In addition, the Fire Marshal has the authority to inspect all public or private buildings and structures where people congregate for exits, exit lights, fire escapes, fire protection, fire safety, sprinklers, and the elimination of fire hazards, including churches, hotels, theaters, hospitals, and health care facilities, as well as nursing homes, boarding schools, clubs, places of amusement, apartment buildings, and food establishments.

By statute, the Fire Marshal's Office is required to inspect each public or private school, college or university at least once every two years to determine whether the school meets fire safety standards. Cities that employ fire department inspectors are required to perform the inspections. All correctional facilities require an annual inspection. County jails are to be inspected every 18 months. Mental Health Institutes under the Department of Human

Services that receive funding through the federal Centers for Medicare and Medicaid Services (CMS) are inspected every 12 to 15 months in conjunction with the Department of Inspections and Appeals. The Schools for the Deaf and the Blind, the State Fair Grounds, and the Capitol Complex buildings are inspected annually. The Capitol is inspected every two years, plus any special inspections that are necessary.

The majority of rule violations are written up as Fire Marshal Orders. An Order makes note of violations and directs property owners to bring the facility into compliance. In FY 2007, 3,687 inspections were completed, and almost every inspection resulted in the issuance of a Fire Marshal Order. There were 2,486 State inspections conducted and 1,201 federal inspections conducted. The following table is a breakout of the 3,687 fire inspections for FY 2007.

FY 2007 Fire Inspections

Entity	Inspections
Childcare Facilities	860
Schools/Colleges/Universities	922
Jails/Prisons	127
Nursing Homes/Hospitals (Federal Contract)	1,201
Assisted Living/State Licensed Facilities	389
Complaints/Miscellaneous	188
	<u>3,687</u>

One Order can make note of multiple violations. Since the majority of these violations are handled through administrative action, the Fire Marshal does not typically cite violators for a criminal offense, but a violation is a simple misdemeanor and can be cited as such. In FY 2007, there were five simple misdemeanor citations issued by the Fire Marshal, which included one violation for tampering with a smoke detector, one for burning bans, and three open burning violations. In FY 2006, there were 16 simple misdemeanor violations issued by the Fire Marshal's Office.

2007 LEGISLATION

The total combined FY 2008 budget for the State Fire Marshal's Office and the Fire Service Training Bureau is \$4.2 million. This does not include the \$700,000 General Fund appropriation for Fire Fighter Training.

The Department of Public Safety received a supplemental appropriation of \$100,000 for FY 2007, and an increase of \$389,888 and 5.0 FTE positions for FY 2008 to implement State Building Code inspections beginning January 1, 2007, as specified in HF 2797 (FY 2007 Standing Appropriations Act.) All fee revenue from these inspections is required to be deposited into the General Fund.

The Fire Marshal's Office also received an appropriation of \$100,000 and 1.0 FTE position for the inspection of factory built structures. By statute, all fees collected for the licensing and certification of manufactured and mobile home installers are retained by the Fire Marshal's Office for inspection and administration personnel.

The Fire Marshal's Office also received an additional 1.0 FTE position to assist with the four licensing and certification programs, which include Fire Extinguishing Contractor Certification, Blasting/Explosives Licensing, Manufactured Housing Manufacturer, Distributor, and Retailer Licensing, and Above Ground Storage Tank Registration. The cost for the position will be offset with receipts from these Programs.

House File 897 (Electricians Licensure Act) required a statewide system for the licensure and certification of alarm system contractors and installers, provided for electrical and alarm system inspections, and specified electrician licensing fee limits. The provisions related to the Electrical Examining Board took effect upon enactment. The provisions related to licensure take effect on January 1, 2008, and the provision related to inspections takes effect on January 1, 2009. The Act allowed the establishment of the non-reversionary Electrician and Installer Licensing and Inspection Fund for all licensing, registration, examination, inspection, and renewal fees to be used by the Electrical Examining Board, in consultation with the Fire Marshal's Office. Fees for licensing and inspections are to be set by Administrative Rules promulgated by the Board.

House File 718 (Fire Safe Cigarettes Act) prohibited cigarettes from being sold or offered for sale in Iowa unless they have been tested for fire safety standards, have met the performance standard, had a written certification filed by the manufacturer, and the cigarettes have been marked as specified in the Act, beginning January 1, 2009.

There are four bureaus within the Fire Marshal's Office with various duties outlined below.

Building Code Bureau

There are currently six Plan Reviewers and four Building Code Inspectors in the Fire Marshal's Building Code Bureau. The duties of the four Inspectors include performing manufactured and mobile home inspections.

Under current law, all newly constructed or modified State-owned buildings are required to submit building plans to the Fire Marshal's Office for plan review and approval. Beginning in 2007, any non-State owned building, whose construction was paid for wholly or in part with State funds, is required to submit building plans to the Building Code Bureau for construction plans review and approval if it is built in a jurisdiction without local building code enforcement, except projects that are limited to additions, renovations, or repairs. Local building code enforcement must include both the adoption and enforcement of a local building code requiring plan review and inspections. In addition, all newly constructed buildings subject to State plan review are subject to Building Code compliance inspections conducted by the Bureau; however, modifications to existing buildings subject to State plan review are not subject to Building Code compliance inspections. Beginning in 2007, any school system that utilizes local sales and services tax moneys for school infrastructure must comply with the State Building Code in the absence of a local building code.

Plan review fees are deposited into the General Fund. In 2007, the plan review fee calculation was changed from a square footage basis to a valuation basis to comply with Section 103A.23, Code of Iowa. Valuation is reflective of the time required to review a project. In addition, the plan review fee was increased to align the revenue received with costs. Separate fees for preliminary meetings, energy reviews, and handicapped accessibility reviews were eliminated.

Also, effective January 1, 2007, the licensing of manufactured housing manufacturers, distributors, and retailers were moved from the Department of Transportation to the Department of Public Safety to be administered by the Building Code Commissioner in SF 2394 (Manufactured Home Regulation Act).

Arson and Explosives Bureau

The Arson and Explosives Bureau examines fire and explosion scenes to determine cause and conducts criminal investigations at the request of fire department and law enforcement agencies. There are 10 Arson Investigators in the Fire Marshal's Office, of which one of these positions is

currently vacant. Each Special Agent assigned to the Bureau is required to attend a six-week Hazardous Device School to become a certified Bomb Technician.

The Bureau also has statewide responsibility for the investigation of suspected or actual bombs and other explosive devices, including responsibility for rendering safe explosive devices. The Bureau also inspects and licenses explosive storage facilities. The explosives license is \$60 per year and the revenue is deposited into the General Fund. User permits to transport, store, and detonate explosive materials are issued by local governments. The \$3 permit fee is deposited into the respective county or city general fund.

In calendar year 2006, a total of 603 investigations were conducted by the Bureau. The investigations were as follows:

- 139 arson cases.
- 152 accidental fires.
- 129 undetermined fires.
- 163 explosive cases.
- 20 miscellaneous cases including meth labs and special assignments.

Fire Service Training Bureau

The Fire Service Training Bureau is Iowa's designated State Fire Academy, and is allowed to retain fees charged for classes to offset the cost for fire service training. This is in addition to the General Fund appropriation of \$836,508 and 10.0 FTE positions. The Paul Ryan Memorial Fire Fighter Safety Training Fund, where fees for special fire fighter license plates are deposited is used by the Bureau to offset firefighter training costs. The Volunteer Fire Fighter Preparedness Fund receives money from the income tax check off, gifts, bequests, and donations to pay for annual costs for firefighter training and for volunteer fire equipment. There is also a separate General Fund appropriation for Volunteer Firefighter Training, which in recent fiscal years has been funded at \$699,587 per year.

A General Fund appropriation of \$500,000 was made in FY 2003, FY 2004, and FY 2005 for the establishment of a revolving loan fund for the purchase of equipment by local fire departments. The funds cannot be used to build fire stations. Loans are interest free with an origination fee of 1.0% of the loan amount, which is withheld by the Bureau from the original loan payout. The origination fee offsets administration costs. A repayment schedule is established at the time the loan is awarded, with a minimum of two payments per year for the duration of the loan. Generally, loans of \$50,000 or less are repaid over a five-year period and loans greater than \$50,000 are repaid over a 10-year period. The maximum loan amount is \$150,000 and there is no penalty for early repayment. As of January 2007, a total of \$1.6 million in loans had been provided. The current balance in the Fund is \$203,000.

The Bureau is also responsible for the Regional Emergency Response Training Center Program. The Bureau administers funds for the Program and develops training curriculum. House File 2782 (FY 2007 Infrastructure Appropriations Act) appropriated \$2.3 million from the Rebuild Iowa Infrastructure Fund (RIIF) and \$2.0 million from the Endowment for Iowa's Health Restricted Capitals Fund (RCF) for the planning, design, and construction of regional fire training facilities, established requirements for the receipt and use of the funds, and authorized the Fire Marshal's Office to establish Administrative Rules to implement the Program. In HF 911 (FY 2008

Infrastructure Appropriations Act), an additional \$1.4 million from RIIF was appropriated for the Program and \$2.0 million from RIIF was appropriated for the State Emergency Response Training Facility.

Bureau of Inspections

The Bureau of Inspections employs 16 Fire Inspectors for nursing homes and schools, of which two of these positions are currently vacant with one of the vacant positions being filled October 2007. One Inspector is assigned to assisted living facility inspections and is funded from the Senior Living Trust Fund. Two are assigned to Above Ground Storage Tanks, and of these, one is funded from the Above Ground Storage Tank Fund and the other from the General Fund. The remaining 13 inspect both nursing homes and schools, as needed, and are funded from the General Fund. Approximately 41.0% of the inspections deal with federal health care facilities of which examples include hospitals, hospices, skilled nursing facilities, and ambulatory surgical centers. The Centers of Medicare and Medicaid Services reimburses the State Fire Marshal's Office at a 38.4% rate for all federal inspection work conducted.

The Fire Marshal's Office also administers the Fire Safe Cigarette Program. The Department of Revenue inspects the wholesalers and retailers and notifies the Fire Marshal's Office of any violations. House File 718 created a Cigarette Fire Safety Standard Fund for money recovered through civil penalties and the collection of certification fees subject to appropriation to the Department of Public Safety. The Fire Marshal's Office requires 1.0 FTE position for a Special Agent at a cost of approximately \$89,000 in FY 2008 and \$62,000 in FY 2009 to perform spot checks for compliance and investigate cigarette-related fire incidents; however, this funding was not provided in FY 2008. The position could work in conjunction with the Department of Revenue through a 28E Agreement. The Fund is expected to receive a one-time receipt of approximately \$115,000 to be used for fire safety and prevention programs, including entry level firefighter training, equipment, and operations. The on-going revenue deposited into the Fund through civil penalties cannot be determined, but is expected to be minimal. Each manufacturer is required to pay a one-time fee of \$100 for each type of cigarette certified.

BUDGET IMPACT

The FY 2008 General Fund appropriation for the Office, including the Fire Service Training Bureau is approximately \$4.2 million. (This figure does not include the annual appropriation of \$700,000 for Fire Fighter Training.) The total estimated cost for an entry level Fire Inspector is \$86,700, which includes \$54,231 for salary and benefits. There are currently 10 Special Agents, 16 Fire Inspectors, six supervisory staff (four sworn and two civilian), and 25 civilian employees in the State Fire Marshal's Office.

State Fire Marshal's Office FY 2007 Actual and FY 2008 Budgeted

Bureau	FTE Positions	Funds	FTE Utilization	FY07 Actual Amount	FY07 Actual Overtime Pay	FTE Utilization	FY08 Estimated Amount	FY08 Budget Overtime Pay
Building Code Bureau	13.0	General Fund	5.77	\$ 474,107	\$ 0	13.00	\$ 917,745	\$ 0
		Federal Funds	0.00	0	0	0.00	0	0
		Fees	0.00	99,525	0	0.00	230,266	0
Arson and Explosives Bureau	10.0	General Fund	9.38	939,995	8,930	10.00	972,629	0
		Federal Funds	0.00	0	0	0.00	0	0
		Fees	0.00	735	0	0.00	1,000	0
Fire Service Training Bureau	10.0	General Fund	9.80	704,110	2,992	10.00	836,508	0
		Federal Funds	0.00	48,142	0	0.00	0	0
		Fees	0.00	6,826	0	0.00	0	0
Bureau of Inspections	24.0	General Fund	23.60	1,353,464	574	24.00	1,438,578	0
		Federal Funds	0.00	582,464	0	0.00	637,934	0
		Fees	0.00	81,000	0	0.00	190,000	0
TOTAL	57.0		48.55	\$ 4,290,368	\$ 12,496	47.00	\$ 5,224,660	\$ 0
Total General Fund				\$ 3,471,676			\$ 4,165,460	
Total Federal Funds				\$ 630,606			\$ 637,934	
Total Fees				\$ 188,086			\$ 421,266	

In recent years, budgetary constraints prompted the Fire Marshal to authorize overtime for Arson Investigators (Special Agents) only if a fire led to a death. All personnel within the Fire Marshal's Office, including Arson Investigators work 40 hours per week, except when fire incidents call for the approval of overtime for arson investigations.

The following chart summarizes over 40 fees established primarily through Administrative Rules that are under the purview of the State Fire Marshal's Office. This list does not include the electricians and installer inspection and licensing revenue that would begin in FY 2008.

Inspection Fee Type	State Fire Marshal	
	FY 2006 Revenue	Estimated FY 2007 Revenue
Above Ground Storage Tank Registration	\$ 62,580	\$ 65,000
Fire Extinguisher Contractor	3,900	73,650
Manufactured Home Installation	23,650	24,825
	\$ 90,130	\$ 163,475
Inspection Fee Type	Fire Service Training Bureau	
	FY 2006 Revenue	Estimated FY 2007 Revenue
1.0% Loan Origination Fee	\$ 6,502	\$ 1,851
Inspection Fee Type	State General Fund	
	FY 2006 Revenue	Estimated FY 2007 Revenue
Explosives License	\$ 4,550	\$ 4,230
Building Code Plan Review	153,895	312,159
Modular Home Installation	81,200	61,310
Inspection of Licensed Health Care Facility	52,306	53,477
Inspection of an Elder Group Home	11,543	18,612
Inspection of a Licensed Child Care Facility	10,280	12,390
	\$ 313,774	\$ 462,178

Due to the requirements of HF 897, the Building Code Commissioner estimates hiring an additional 37.0 positions for electrical inspections. Based on the preliminary estimates, if fees are set at the limits specified in the legislation, the Electrician and Installer Licensing and Inspection Fund is estimated to have approximately \$23.0 million by calendar year 2012. The Program is intended to be funded through fees. The number of electrical inspectors required for this Program could increase in future fiscal years.

ALTERNATIVES

The General Assembly may wish to review the following alternatives:

- Require an annual report from the Fire Marshal's Office on the number of inspections and receipt of funds to the Justice System Appropriations Subcommittee to assist the Subcommittee in providing accurate funding for the Office.
- Require public and private schools and the Regents institutions to reimburse the State Fire Marshal's Office for inspections. In FY 2007, there were 922 school inspections. If a \$100 fee was implemented, that would generate approximately \$92,200 annually.
- Provide overtime funding to allow the Fire Marshal's Office to conduct fire investigations promptly in future fiscal years.
- Based on the number of inspections and the statutory requirements of the Fire Marshal's Office, the General Assembly may wish to consider adding additional fire inspectors.
- Merge the Fire Service Training Bureau into the Fire Marshal's Office rather than having two separate appropriations to assist the Department with cash flow issues.

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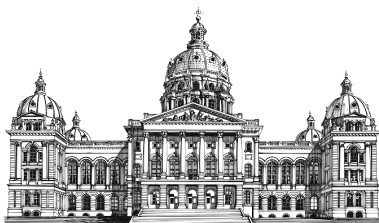
State Fire Marshal's Office

<http://www.legis.state.ia.us/lsadocs/IssReview/2007/IRJDA002.pdf>

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State Capitol
Des Moines, IA 50319
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Outstanding Court Debt

(Revised November 6, 2007)

ISSUE

This **Issue Review** provides information on outstanding court debt including various collection methods and possible alternatives to address the increasing debt.

AFFECTED AGENCIES

Judicial Branch
Department of Revenue
County Attorneys
County Treasurer's Offices
Department of Transportation

CODE AUTHORITY

Section 321.210A, Code of Iowa
Chapter 602, Code of Iowa
Section 909.10, Code of Iowa
Section 910.9, Code of Iowa

BACKGROUND

Over the past 10 years, enacted legislation has increased imposed judicial fine, penalty, fee, court cost, and surcharge amounts. Although additional revenue has been collected over this timeframe, collection rates have decreased. This is reflected by the increasing amount of outstanding court debt. Outstanding court debt does not include restitution, child support, or civil judgments. Currently, there is no way to estimate the amount of outstanding debt that is uncollectible since all debt is categorized as owed until paid regardless of any other extenuating circumstances; however, the Judicial Branch is developing methods for aging outstanding court debt. The following chart shows collection rates for the past three fiscal years.

Collection Rates

	<u>FY 2005</u>	<u>FY 2006</u>	<u>FY 2007</u>
Scheduled Traffic Fines	74%	72%	71%
Deferred Judgments	n/a	22%	39%
Fines, Simple Misdemeanors	52%	49%	45%
Fines, Serious Misdemeanors	29%	29%	29%
Fines, Aggravated Misdemeanors	19%	19%	17%
Fines, Operating While Intoxicated (OWI)	34%	34%	32%
Surcharge, 30.0% to 32.0%	40%	40%	37%

Source: Criminal and Juvenile Justice Planning (CJJP)

From FY 1998 to FY 2007, outstanding court debt increased \$310.3 million (216.4%). The average monthly increase in outstanding court debt is \$2.7 million per month. Prior to FY 1998, figures were entered by hand and scheduled traffic violations and civil cases were not reported, which resulted in the under-reporting of outstanding court debt. The following chart shows the historical increase in outstanding court debt from FY 1998 to present:

Outstanding Court Debt By Fiscal Year
(Dollars in Millions)

<u>Fiscal Year</u>	<u>Outstanding Court Debt</u>	<u>Annual Increase</u>	<u>Percent Increase</u>
FY 1998	\$143.4	-----	-----
FY 1999	\$171.5	\$28.1	19.6%
FY 2000	\$202.9	\$31.4	18.3%
FY 2001	\$237.7	\$34.8	17.2%
FY 2002	\$275.2	\$37.5	15.8%
FY 2003	\$298.5	\$23.3	8.5%
FY 2004	\$334.8	\$36.3	12.2%
FY 2005	\$371.4	\$36.6	10.9%
FY 2006	\$412.5	\$41.1	11.1%
FY 2007	\$453.7	\$41.2	10.0%

Source: Judicial Branch Generally Accepted Accounting Principles (GAAP) Report

Section 910.9, Code of Iowa, provides that victims shall be paid in full prior to the payment of any other debt. A fine, penalty, court cost, fee, or surcharge is deemed delinquent if it is not paid within six months after the date it is assessed.

Section 602.8107(4), Code of Iowa, allows a county attorney to collect delinquent debt and retain 35.0% of the amount collected for deposit into the county general fund; the State receives 65.0%.

Section 909.10, Code of Iowa, states that fines, court costs, or surcharges that are unpaid after two years from the date imposed that are not collected by the county attorney pursuant to Section 602.8107, Code of Iowa, will be remitted to the Treasurer of the State for deposit into the Jury and Witness Fee Revolving Fund. The Fund is used by the Judicial Branch to pay jury and witness fees and mileage.

During the 1991 Legislative Session, the General Assembly enacted HF 697 (Collection of Delinquent Criminal Fines and Court Costs Act), which provided the authority for county attorneys

to collect unpaid fines and court costs that were at least six months delinquent. The legislation provided an incentive for county attorneys by allowing 35.0% of the amount collected, after payment of court costs, to be retained by the county.

During the 1992 Legislative Session, the General Assembly enacted SF 370 (OWI Fine Increase, Mandatory Minimum Fines, and Community Service Act), which shifted some of the responsibilities for the collection of delinquent fines, fees, and penalties to the Clerks of District Court and added private attorneys to the list of persons county attorneys could contract with for collection services. This Act also allowed the Department of Revenue to collect delinquent amounts when the county attorneys did not file a notice of intent to pursue the delinquent amounts and permitted offsets against tax refunds.

During the 1995 Legislative Session, the General Assembly enacted HF 549 (Collection of Taxes and Debts Owed to the State Act), which provided an administrative levy to seize certain accounts of the debtor; the denial, revocation, suspension, or renewal of licenses authorized by the State; the redistribution of debts collected; and the Act created a driver's license indebtedness clearance pilot project. The Centralized Collection Unit in the Department of Revenue was allowed to issue a levy against checking, savings, and share accounts of persons who are indebted to the State and delinquent. County treasurers were also allowed to refuse to renew the vehicle registration of an applicant with a delinquent account, charge, fee, loan, taxes, or other indebtedness owed to, or being collected by the State. Approximately 82.0% of fines imposed in FY 1995 fell into five categories, including driving with a suspended driver's license (39.0%); OWI – First (21.0%); possession of a controlled substance (8.0%); OWI – Second (7.0%); and OWI – Third (7.0%).

CURRENT SITUATION

There are currently seven different ways to collect outstanding court debt, which includes the following:

Clerks' Noticing: Clerks of Court mail debtors three reminder notices. The first notice is the judgment entry or sentencing order, which is mailed at the time the fee is imposed if payment has not been made. The second notice is mailed if payment is not received within 20 days. The third and final notice is mailed at 30 days and states that if payment is not received within 10 days, the account will be transferred to the Department of Revenue for collection.

Centralized Collection Unit (CCU): The CCU is in the Department of Revenue. After 45 days from the date assessed, the CCU begins pursuing the debt. Debtors are charged a 10.0% fee when their case is transferred to the Department. According to the Department of Revenue, in FY 2007, \$18.7 million was collected through the CCU of which, \$1.7 million was retained by the Department of Revenue and \$17.0 million was remitted back to the Judicial Branch for deposit into the appropriate State fund. As of August 31, 2007, a total of approximately \$3.2 million has been collected for FY 2008.

Income Tax, Vendor Offset, and Lottery Winnings: The Department of Administrative Services (DAS) collects approximately \$4.0 million in outstanding court debt through these methods. Prior to FY 2006, most of this money was collected through income tax and vendor offset programs. However, in FY 2006, there was a temporary increase in lottery winnings and a corresponding increase in court debt collection, primarily due to Touchplay machines.

Vehicle Registration Renewals: When a person who owes money to the State attempts to renew their vehicle registration, the county treasurer's office notifies the person they need to see the clerk

of court to pay their fine. Unless the fine is paid in full, the person is unable to renew their vehicle registration.

Driver's License Reinstatement: When a person owes money to the State for a citation, the Judicial Branch notifies the Department of Transportation (DOT), which sends a suspension notice to the person that says payment to the Clerk of Court does not end the suspension. The DOT must receive acceptable proof of payment before the suspension will be ended. Unless the fine is paid in full or the person enters into a County Attorney payment plan, the person is unable to renew or reinstate their driver's license. (Section 321.210A, Code of Iowa)

County Attorney Collections: Section 602.8107(4), Code of Iowa, allows a county attorney to collect delinquent debt and retain 35.0% of the amount collected for deposit into the county general fund; the State receives 65.0%. The current threshold on the county attorney collection is \$1.2 million to the General Fund, which is the State's 65.0% share of the outstanding court debt. Once the threshold is met, the formula changes and the county retains 35.0%, the county attorney's office retains 33.0%, and the State's share is 32.0% (Section 602.8107(5), Code of Iowa).

In FY 2007, the \$1.2 million threshold was exceeded the last two months of the fiscal year by \$297,000, of which, the General Fund received an additional \$95,000 and the counties and county attorney offices received a total of \$202,000. Currently, there are 38 counties participating in this Program. Black Hawk County is the largest collector of delinquent debt by county attorneys. As of August 20, county attorney collections for FY 2008 are \$118,000.

Show Cause Hearings: Judges and magistrates can require a defendant to attend a show cause hearing and explain to the judge why payment on their court debt has not been made. In FY 2007, there were 4,551 show cause hearings; however, this figure includes all show cause hearings and not just those related to collections.

2007 Legislation

During the 2007 Legislative Session, HF 641 (Court Procedures and Fines Act) created installment agreements for people whose driver's license had been suspended pursuant to Section 321.210A, Code of Iowa, for failure to pay a fine, penalty, surcharge, or court cost related to a moving violation. The person may enter into an installment agreement through the County Attorney's Office for the purpose of paying off the delinquent obligation. The Department of Transportation (DOT) must reinstate the driver's license upon receipt of the executed agreement between the person and the County Attorney, if the driver's license of the person is not otherwise suspended, revoked, or barred under any other provision of the law.

Prior to the enactment of this legislation, a delinquent obligation had to be paid in full prior to the reinstatement of the driver's license. An installment agreement can not be executed in any county, except Polk and Linn County, until January 1, 2008. A person is limited to five installment agreements in a person's lifetime. Any money collected pursuant to the installment agreement, except the civil penalty, will be distributed as provided in Section 602.8107(4), Code of Iowa, for delinquent judgments collected by a county attorney.

In order to qualify for the Program, a person must have all their civil penalties paid, except for the civil penalty in Section 321.218A, Code of Iowa, which can be part of the payment plan. In addition, they must have auto insurance; they must be current on their child support payments; they must be employed and have a wage assignment; and their charges cannot be an indictable offense. As of September 14, there have been 22 people in Linn County and 106 people in Polk County

participating in the Program. The Judicial Branch is in the process of designing and developing computerized programs and interfaces to implement this Program statewide on January 1, 2008.

BUDGET IMPACT

Any court debt over two years old that is collected, and is not in a county attorney payment plan, is deposited into the Jury and Witness Fee Revolving Fund. The Fund is used to reimburse juror and witness fees and mileage. Senate File 563 (FY 2008 Judicial Branch Appropriations Act) increased the reimbursement rate for a juror from \$10 per day to \$30 per day. The fiscal impact was an estimated \$2.0 million cost to the Fund. In addition, \$2.0 million in one-time carry forward money was transferred from the Fund to the Judicial Retirement Fund. The following chart shows the carry forward balance in the Jury and Witness Fee Revolving Fund from FY 1998 to present.

Balance Carry Forward in the Jury and Witness Fee Revolving Fund

Fiscal Year	Ending Balance	Percent Increase
FY 1998	\$61,207	-----
FY 1999	\$219,941	259.3%
FY 2000	\$598,869	172.3%
FY 2001	\$1,280,368	113.8%
FY 2002	\$2,390,213	86.7%
FY 2003	\$2,219,379	-7.1%
FY 2004	\$3,401,313	53.3%
FY 2005	\$4,758,714	39.9%
FY 2006	\$6,351,582	33.5%
Est. FY 2007	\$7,193,308	13.3%
Est. FY 2008	\$5,874,033	-18.3%

Source: I/3 Budget System

NOTE: The FY 2008 figure includes the \$2.0 million reduction for increased juror pay and the \$2.0 million reduction for the Judicial Retirement Fund transfer, which is offset with an estimated \$2.7 million in receipts added to the carry forward balance.

ALTERNATIVES

The General Assembly may wish to consider the following alternatives for reducing court debt:

- **Age the Debt:** The General Assembly could require the Judicial Branch to age the debt in a manner that captures current outstanding obligations that could be collected apart from outstanding obligations that will never be collected due to death or incarceration.
- **Write Off Old Debt:** According to the Department of Public Health, the average life expectancy of an Iowan is 77 years of age. According to the Department of Corrections, the median age of an offender incarcerated in Iowa is 35 years of age. Starting July 1, 2008, the General Assembly could require the Judicial Branch to "write off" any debt prior to 1940. In order for the debt to be written off, the Judicial Branch would be required to clear the judgment from each person's record.

- **Fine Amnesty:** According to the National Center for State Courts (NCSC), fine amnesty is a practice in which the court offers an incentive for a period of time to delinquent fine debtors to encourage payment. The incentives can take various forms, such as waiving the interest, late fees, or court costs; allowing a payment of the fine itself with the remaining balances being forgiven; or forgiving debtors of a certain type of fine. This allows for a quick collection of cash in a short period and the closing of some delinquent cases, but according to NCSC, this also undermines the deterrence and punishment goals behind original sentences, as well as the credibility of the court.
- **Temporary Vehicle Registrations:** The General Assembly could allow the county treasurer's to issue temporary vehicle registrations as long as the debtor was making payments toward their outstanding court debt or if the debtor was enrolled in a payment plan with the State. Under current law, a debtor cannot receive a vehicle registration until their fine is paid in full.
- **Liens:** Liens placed on someone's taxes do not automatically transfer to that person's estate. The General Assembly may wish to consider legislation requiring the Judicial Branch to run a person's name against the ICIS system to verify all debt owed to the State has been paid prior to closing the estate.
- **Reduce Debt Collection Options:** By FY 2007, outstanding court debt had grown to \$453.7 million, while the number of collection methods had increased to seven. If the number of collection methods were reduced to two or three, more focus could be placed by those particular agencies on collecting outstanding court debt rather than spreading collection efforts among many.
- **Judicial Branch's On-line Fine Pay System:** Encourage county treasurer's and the DOT to utilize the Judicial Branch's On-line Fine Pay System at their respective offices to allow for the debt to be paid off. This will allow an individual to get their vehicle registration or their driver's license without having to run back and forth between the clerk of court and the county treasurer or DOT office.
- **Casino Winning Offset:** The General Assembly may wish to consider a casino winning offset program similar to the Lottery Winning Offset Program with the Iowa Lottery Authority. Prior to the payment of casino winnings, the person's name could be compared to the ICIS database to determine if there is any outstanding debt owed the State. When Touchplay machines were operating, Judicial Branch receipts experienced an increase of \$481,000 from lottery offset.
- **Eliminate Two Year Old Debt Deposits Into the Jury and Witness Fee Revolving Fund:** The General Assembly may wish to consider repealing this language and depositing all debt collected into the General Fund and appropriating money for jury and witness reimbursement. Prior to FY 2003, the Judicial Branch was authorized to transfer up to \$1.9 million from their operating budget into the Jury and Witness Fee Revolving Fund. From FY 2004 through FY 2007, expenditures from the Fund have averaged \$1.6 million. With the passage of SF 563 increasing juror reimbursement rates, this amount will likely increase to approximately \$3.6 million per year.

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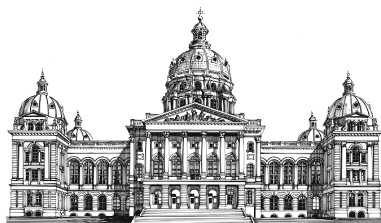
Outstanding Court Debt

<http://www.legis.state.ia.us/lsadoc/IssReview/2008/IRJDA000.pdf>

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Iowa Legislative Services Agency Fiscal Services

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State Capitol
Des Moines, IA 50319
October 9, 2007

Adult Drug Courts

ISSUE

This **Issue Review** provides information on Adult Drug Courts in Iowa, reviews funding, and reports success rates.

AFFECTED AGENCIES

Department of Corrections
Community-Based Corrections
Judicial Branch
Department of Public Health
State Public Defender's Office

CODE AUTHORITY

Chapters 13B, 125, 602, 904, and 905, Code of Iowa

BACKGROUND

Adult Drug Courts are currently funded in all eight Community-Based Corrections (CBC) District Departments. Drug Courts serve as an alternative to prison for offenders whose substance abuse problems have led to crime. The goals of Drug Court are to reduce recidivism, thereby reducing substance abuse related crimes and victims, and the number of drug addicts sentenced to prison. An offender can be sentenced to Drug Court at any time after their arrest or upon conviction, and throughout probation or parole supervision.

Two models are used for Adult Drug Court in Iowa. The Community Panel Drug Court Model operates in the Second and Third CBC District Departments and the Judicial Model operates in the First, Fourth, Fifth, Sixth, Seventh, and Eighth CBC District Departments. The Community Panel Drug Court Model involves intensive correctional supervision with regular testing for drug or alcohol use, substance abuse treatment, and regular accountability reviews by a panel of volunteer community members. The Community Panel Model has a supporting judge affiliated with each District Department's program. The Judicial Model also requires intensive correctional supervision, testing for drug or alcohol use, substance abuse treatment,

and regular accountability reviews by the Drug Court Team. The Judicial Model requires the direct participation of a judge on the Drug Court Team.

To be eligible for Drug Court, a person must have a substance abuse problem which led to, or contributed to, their involvement in the criminal justice system. Those convicted of selling drugs primarily for profit are not considered for Drug Court, unless they sold drugs solely to support their addiction. Over half the participants were convicted of drug crimes and one-third were convicted of property crimes. Over 80.0% are at a high or very high risk to recidivate.

CURRENT SITUATION

The current prison population is approximately 8,900 inmates. The 2006 Prison Population Report predicts an increase of approximately 2,500 prisoners by 2016, resulting in an estimated population of 11,400 inmates. One contributing factor to the constant growth is the high level of admissions for drug offenders, the most common type of new prison admission. New admissions for drug offenses have increased by 65.4% over the last 10 years. The chart below provides the inception date, model type, average caseload, and average cost for Drug Courts in Iowa.

Drug Courts: Model, Average Population and Average Cost

<u>District Department</u>	<u>Fiscal Year Started</u>	<u>Model (Judicial or Community Panel)</u>	<u>Average Monthly Caseload</u>	<u>Average Daily Cost</u>
1	2006	Judicial	18	\$28.62
2	2001	Community Panel	43	\$13.07
3	1999	Community Panel	68	\$5.48
4	2000	Judicial	38	\$20.46
5	1997	Judicial	96	\$9.83
6	2008	Judicial	NA	NA
7	2003	Judicial	22	\$21.94
8	2007	Judicial	10	\$32.58

NOTES:

The Sixth District Department is beginning implementation of two Drug Courts in FY 2008.

The Eighth District Department started a Drug Court in January 2007 (FY 2007). In this District, current population was used rather than monthly averages during the start-up period.

The average daily cost is a function of the average caseload and budget structure. Generally, Drug Courts that have been in operation longer, have a larger caseload, and a lower cost per offender. Some District Departments have budgeted funds for substance abuse treatment. Other District Departments rely on the substance abuse managed care system that is funded through the Department of Public Health.

BUDGET IMPACT

The average direct cost for a Drug Court participant is approximately \$10,400. This amount is based on an average length of stay of 662 days in the Drug Court, followed by a year of supervision on probation. This is a direct program cost; administrative costs are not included. The average cost for new prison admissions is approximately \$31,600. This amount is based on an average

length of stay in prison of 20.1 months, followed by a year on parole. This estimate includes all costs, direct and indirect, of the prison system. The average cost for Drug Court and prison are incurred in multiple fiscal years. While the two costs are not directly comparable, there does appear to be cost containment generated by Drug Courts.

According to the Department of Corrections (DOC), approximately 85.0% of offenders released from prison do not return to prison within one year of release. Based on preliminary data from the DOC, 90.7% of higher risk offenders that successfully complete the Drug Court do not recidivate within one year.

The Criminal and Juvenile Justice Planning Division of the Department of Human Rights is completing a longitudinal analysis of Iowa's Drug Courts. The report will be available in 2008 and will provide definitive outcome data, a cost/benefit analysis, and comparison of recidivism rates.

House File 907 (FY 2008 Healthy Iowans Tobacco Trust Appropriations Act) appropriates \$4.0 million to the Department of Corrections, of which \$1.4 million is dedicated to the Drug Court Programs operated by the CBC District Departments. Ending balances have been declining over the last few fiscal years, for both the Endowment for Iowa's Health Account and the Healthy Iowans Tobacco Trust. The ending balance for the Endowment for Iowa's Health Account for FY 2008 is projected to be \$33.6 million. The ending balance is projected to be a budget shortfall of \$17.9 million in FY 2009, if no changes are made in appropriations. The Healthy Iowans Tobacco Trust Fund's ending balance for FY 2008 is projected to be \$55,000, with a budget shortfall projected for FY 2009. The projected shortage could impact funding levels for the Drug Courts.

ALTERNATIVES

Adult Drug Courts are a collaborative effort between the CBC District Departments, Judicial Branch, County Attorney Offices, Public Defender's Offices, the Department of Corrections, local law enforcement, treatment programs, and local communities. Drug Courts appear to be a cost containment option for the State by providing offenders with an alternative to prison. Based on preliminary data, it appears successful Drug Court participants have a lower recidivism rate than similar offenders in the prison system or the community.

Due to declining funding in the Healthy Iowan's Tobacco Trust Fund, the General Assembly may want to consider other funding sources for this Program such as the General Fund. For the General Fund to absorb these Programs, it will require an annual appropriation of approximately \$1.4 million.

STAFF CONTACTS: Beth Lenstra (Ext: 16301) Jennifer Acton (Ext. 17846)

Adult Drug Courts
<http://www.legis.state.ia.us/lsadoc/IssReview/2007/IRJDA003.pdf>
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APPENDIX I

Notes On Bills And Amendments (NOBAs):

Justice System

Judicial Branch

EXECUTIVE SUMMARY JUSTICE SYSTEM APPROPRIATIONS ACT

SENATE FILE 575

FUNDING SUMMARY

MAJOR INCREASES, DECREASES, AND TRANSFERS OF EXISTING PROGRAMS

- Appropriates a total of \$499.0 million from the General Fund and 6,313.9 FTE positions to the Departments of Justice, Corrections, Inspections and Appeals, Public Defense, Public Safety, the Iowa Law Enforcement Academy, Board of Parole, and the Civil Rights Commission. This is an increase of \$29.8 million and 329.7 FTE positions compared to the estimated net FY 2007 General Fund appropriations.
- Makes the following significant General Fund increases for FY 2008:
 - **Department of Justice, Office of the Attorney General:** \$290,000 to fill authorized, vacant, unfunded FTE positions. (Page 1, Line 7)
 - **Victim Assistance Grants:** \$145,000 for grants to care providers of victims domestic abuse or sexual assault. (Page 1, Line 21)
 - **Legal Services Poverty Grants:** \$650,000 for Iowa Legal Aid. (Page 1, Line 35)
 - **Department of Corrections (DOC):** An increase of \$21.0 million and 289.4 FTE positions compared to the FY 2007 General Fund appropriation. The increase includes:
 - \$632,000 for Department of Administrative Services (DAS) reimbursements. This includes the nine prisons, the eight Community-Based Corrections (CBC) District Departments, and Central Office. (Page 3, Line 35 to Page 5, Line 9; Page 5, Line 27; Page 9, Line 20 through Page 10, Line 20)
 - \$561,000 for food, fuel, and pharmacy cost increases. This includes eight of the prisons and the eight CBC District Departments. (Page 3, Line 35 through Page 4, Line 7; Page 4, Line 16 through Page 5, Line 9; Page 9, Line 20 through Page 10, Line 20)
 - \$1.7 million to fill authorized, vacant, unfunded correctional officer positions. This amount should fund approximately 37.3 FTE positions. (Page 3, Line 35 through Page 5, Line 9)
 - \$14.0 million and 269.9 FTE positions to operate the 178-bed Special Needs Unit at the Iowa Medical Classification Center at Oakdale. (Page 4, Line 12)
 - \$311,000 to fund a Security Director, Safety Inspector, and replace expired federal funds for the federal Prison Rape Elimination Act in the Central Office. (Page 5, Line 27)
 - \$1.0 million for the Corrections Education Program. (Page 6, Line 30) *This increase was reduced by \$500,000 in SF 601 (FY 2008 Standing Appropriations Act).*
 - \$1.8 million and 16.0 FTE positions to supervise, electronically monitor, and treat sex offenders using the Global Positioning System (GPS) bracelet. This includes the eight CBC District Departments. (Page 9, Line 20 through Page 10, Line 20)
 - \$112,000 to replace expired federal funds for a Drug Court Program in Waterloo. (Page 9, Line 23)
 - \$508,000 to provide funds for a partial year of operations for a 20-bed facility for offenders with mental illness in Cedar Rapids. (Page 10, Line 4) *This increase was reduced by \$200,000 in SF 601.*

EXECUTIVE SUMMARY JUSTICE SYSTEM APPROPRIATIONS ACT

SENATE FILE 575

MAJOR INCREASES, DECREASES, AND TRANSFERS OF EXISTING PROGRAMS (CONTINUED)

- **Department of Inspections and Appeals:** \$3.6 million increase to fund the projected increase in claims and fund currently authorized positions in the Office of the State Public Defender. (Page 13, Lines 6 through 23)

- **Department of Public Safety:** An increase of \$4.2 million, including:

- \$291,000 for Public Safety Administration. (Page 16, Line 1)
- \$1.0 million for 18.0 FTE positions in the Division of Criminal Investigation (DCI). (Page 16, Line 6)
- \$413,000 for the Division of Narcotics Enforcement. (Page 16, Line 30)
- \$390,000 for the Fire Marshal's Office and 7.0 FTE positions. (Page 17, Line 7)
- \$100,000 for the Fire Service Training Bureau. (Page 17, Line 15)
- \$2.0 million for the Iowa State Patrol. (Page 17, Line 22)

- **Iowa Civil Rights Commission:** \$247,000 increase to replace federal funds. (Page 18, Line 31)

- **Homeland Security and Emergency Management Division:** \$496,000 from the E911 Carryover Fund for the Public Safety Answering Points (PSAPs). (Page 19, Line 4)

STUDIES AND INTENT LANGUAGE

- Requires the Attorney General to contract with a nonprofit provider to create a pilot project for children in dissolution of marriage proceedings, and requires a report. (Page 2, Line 14)
- Requires the DOC to fill 37.0 correctional officer positions that were vacant in March 2007. (Page 5, Line 21)
- Requires the DOC to report on the Transitional Housing Pilot Project. (Page 8, Line 3)
- Requires the State Public Defender to make recommendations regarding cost containment options, and to file a report with the Chairs and Ranking Members of the Justice System Appropriations Subcommittee and the Legislative Services Agency (LSA). (Page 13, Line 11)
- Allows the Iowa Law Enforcement Academy to temporarily exceed the amount appropriated and incur a negative cash balance as long as equal receivables are anticipated at the close of the fiscal year for cash flow purposes. (Page 14, Line 4)
- Allows the Iowa Law Enforcement Academy to annually exchange five vehicles turned into the State Fleet Administrator by the Department of Public Safety. (Page 14, Line 10)
- Allows the Military Division to temporarily exceed the amount appropriated and incur a negative cash balance as long as equal receivables are anticipated at the close of the fiscal year for cash flow purposes. (Page 15, Line 10)

EXECUTIVE SUMMARY JUSTICE SYSTEM APPROPRIATIONS ACT

SENATE FILE 575

STUDIES AND INTENT LANGUAGE (CONTINUED)

- Adds language requiring the Homeland Security and Emergency Management Division to work in conjunction with the Department of Public Safety on the Fusion Program. (Page 15, Line 24)
- Requires Joint E911 Service Boards to report to the E911 Program Manager on the expenditure of Wireless E911 Phase 2 Upgrade and Equipment Expenditures, for each Public Safety Answering Point by December 15, 2007. The E911 Program Manager is required to compile all the responses into one expenditure report for the Co-Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee and the LSA, by January 15, 2008. (Page 19, Line 16)
- Authorizes an appropriation of no more than \$200,000 from the Wireless E911 Emergency Communications Fund for FY 2006 to be used for administration of the Fund and to employ the State Auditor to perform an annual audit on the Fund. (Page 19, Line 26)
- Requires the Department of Public Safety to study and make recommendations on the benefits and disadvantages of converting recording equipment in State Patrol vehicles to digital camera recording technology. The report is due to the General Assembly and the LSA by December 15, 2007. (Page 20, Line 9)

SIGNIFICANT CHANGES TO THE CODE OF IOWA

- Permits the Iowa Law Enforcement Academy to charge more than half the cost of providing the basic training course subject to Council approval. This change is repealed on June 30, 2008. (Page 20, Line 2)
- Increases the percentage of the calendar quarter E911 Wireless Surcharge that goes to the 124 Public Safety Answering Points (PSAPS) from 24.0% to 25.0%, for Phase 2 equipment purchases and technology upgrades. (Page 21, Line 26)
- Increases the FY 2008 hourly reimbursement rate for court-appointed counsel for staffing certain cases. The fiscal impact is estimated to be \$900,000 in FY 2008 and an additional \$300,000 in FY 2009. (Page 24, Line 5)

GOVERNOR'S VETO ENACTMENT DATE

- The Governor vetoed Section 20 regarding telecommuting. (Page 20, Line 25).
- This Act was approved by the General Assembly on April 24, 2007, and item vetoed and signed by the Governor on May 29, 2007.

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1 1 Section 1. DEPARTMENT OF JUSTICE.
 1 2 1. There is appropriated from the general fund of the
 1 3 state to the department of justice for the fiscal year
 1 4 beginning July 1, 2007, and ending June 30, 2008, the
 1 5 following amounts, or so much thereof as is necessary, to be
 1 6 used for the purposes designated:

1 7 a. For the general office of attorney general for
 1 8 salaries, support, maintenance, miscellaneous purposes
 1 9 including the prosecuting attorneys training program, victim
 1 10 assistance grants, office of drug control policy (ODCP)
 1 11 prosecuting attorney program, odometer fraud enforcement, and
 1 12 for not more than the following full-time equivalent
 1 13 positions:
 1 14 \$ 8,907,205
 1 15 FTEs 225.50

General Fund appropriation to the Department of Justice for the Office of the Attorney General, Prosecuting Attorney Training Program, Victim Assistance Grants, Office of Drug Control Policy, Office of Drug Control Policy Prosecuting Attorney Training Program, and Odometer Fraud Enforcement.

DETAIL: This is an increase of \$290,000 and no change in FTE positions compared to the estimated net FY 2007 General Fund appropriation. The funds will be used to fill authorized, unfunded, vacant positions.

NOTE: Senate File 601 (FY 2008 Standing Appropriations Act) permits the Office of the Attorney General to be reimbursed up to \$150,000 annually from the Second Injury Fund. This is an increase of \$100,000 compared to current law.

1 16 It is the intent of the general assembly that as a
 1 17 condition of receiving the appropriation provided in this
 1 18 lettered paragraph, the department of justice shall maintain a
 1 19 record of the estimated time incurred representing each agency
 1 20 or department.

Specifies that it is the intent of the General Assembly that the Department of Justice maintain a record of the estimated time incurred to represent each agency or department.

1 21 b. For victim assistance grants:
 1 22 \$ 150,000

General Fund appropriation to the Department of Justice for the Victim Assistance Grants Program.

DETAIL: This is an increase of \$145,000 compared to the estimated net FY 2007 General Fund appropriation.

1 23 The funds appropriated in this lettered paragraph shall be
 1 24 used to provide grants to care providers providing services to
 1 25 crime victims of domestic abuse or to crime victims of rape

Requires that Victim Assistance funds be awarded as grants to providers of services for victims of domestic abuse, rape, and sexual assault.

1 26 and sexual assault.

1 27 The balance of the victim compensation fund established in
1 28 section 915.94 may be used to provide salary and support of
1 29 not more than 22 FTEs and to provide maintenance for the
1 30 victim compensation functions of the department of justice.

Permits 22.00 FTE positions to be funded from the Victim Compensation Fund to administer the victim compensation functions of the Department of Justice. Maintains current level of FTE positions funded from the Victim Compensation Fund.

DETAIL: Of the total FTE positions, 20.00 positions are assigned to the Crime Victim Assistance Division and 2.00 positions are assigned to the Office of the Attorney General, Area Prosecutions Division.

1 31 As a condition of receiving the appropriation in this
1 32 subsection, the department of justice shall transfer at least
1 33 \$3,200,000 from the victim compensation fund established in
1 34 section 915.94 to the victim assistance grant program.

Requires the Department of Justice to transfer at least \$3,200,000 from the Victim Compensation Fund to the Victim Assistance Grants Program in FY 2008.

DETAIL: This is no change compared to the estimated net FY 2007 Victim Compensation Fund transfer.

1 35 c. For legal services for persons in poverty grants as
2 1 provided in section 13.34:
2 2 \$ 1,550,000

General Fund appropriation to the Department of Justice for the Legal Services Poverty Grants Program.

DETAIL: This is an increase of \$650,000 compared to the estimated net FY 2007 General Fund appropriation.

NOTE: Senate File 601 (FY 2008 Standing Appropriations Act) repeals the allocation of \$450,000 in judicial receipts for the Legal Services Poverty Grants Program and appropriates \$450,000 from the General Fund for the Legal Services Poverty Grants Program to offset the repeal of the allocation.

2 3 d. For the purpose of funding farm mediation services and
2 4 other farm assistance program provisions in accordance with
2 5 sections 13.13 through 13.24:
2 6 \$ 150,000

General Fund appropriation to the Department of Justice for the Farm Mediation Program.

DETAIL: This is an increase of \$50,000 compared to the estimated net FY 2007 General Fund appropriation.

NOTE: Senate File 601 (FY 2008 Standing Appropriations Act) provides an additional General Fund appropriation of \$150,000 for the Farm Mediation Program.

2 7 e. For a grant to be determined by the attorney general or
 2 8 the attorney general's designee through a competitive bidding
 2 9 process under procedures established by the office of attorney
 2 10 general, for the establishment of a pilot project with a
 2 11 nonprofit agency that focuses primarily on the representation
 2 12 of children in dissolution proceedings:
 2 13 \$ 50,000

General Fund appropriation to the Department of Justice for a pilot project for children in dissolution of marriage proceedings.

DETAIL: This is a new appropriation for a pilot project in FY 2008.

2 14 The nonprofit agency shall be an agency that provides a
 2 15 support group for school-age children whose parents are
 2 16 involved in a dissolution of marriage proceeding and shall
 2 17 provide an alternative dispute resolution family coordinator
 2 18 for families where one parent has contemplated filing a
 2 19 petition for dissolution of marriage or has filed such a
 2 20 petition. The nonprofit agency shall provide a report to the
 2 21 attorney general on the number of children and families served
 2 22 under the pilot project and any other measures used to
 2 23 determine the success of the pilot project by December 15,
 2 24 2007. The attorney general shall provide the report prepared
 2 25 by the nonprofit agency to the co-chairpersons and ranking
 2 26 members of the joint appropriations subcommittee on the
 2 27 justice system and the legislative services agency by January
 2 28 15, 2008.

Requires the Attorney General to establish a pilot project with a nonprofit agency in the Sixth Judicial District that focuses primarily on the representation of children in dissolution of marriage proceedings. Provides specifications of the pilot project. Requires a report to the Attorney General and specifies the contents of the report.

2 29 2. a. The department of justice, in submitting budget
 2 30 estimates for the fiscal year commencing July 1, 2008,
 2 31 pursuant to section 8.23, shall include a report of funding
 2 32 from sources other than amounts appropriated directly from the
 2 33 general fund of the state to the department of justice or to
 2 34 the office of consumer advocate. These funding sources shall
 2 35 include but are not limited to reimbursements from other state
 3 1 agencies, commissions, boards, or similar entities, and
 3 2 reimbursements from special funds or internal accounts within
 3 3 the department of justice. The department of justice shall
 3 4 also report actual reimbursements for the fiscal year

Requires the Department of Justice, in submitting FY 2009 budget estimates, to submit a report to the Department of Management (DOM) that specifies the amount of funding from all sources other than the General Fund. The report is to include actual reimbursements from other fund accounts for FY 2007 and FY 2008.

3 5 commencing July 1, 2006, and actual and expected
 3 6 reimbursements for the fiscal year commencing July 1, 2007.

3 7 b. The department of justice shall include the report
 3 8 required under paragraph "a", as well as information regarding
 3 9 any revisions occurring as a result of reimbursements actually
 3 10 received or expected at a later date, in a report to the co-
 3 11 chairpersons and ranking members of the joint appropriations
 3 12 subcommittee on the justice system and the legislative
 3 13 services agency. The department of justice shall submit the
 3 14 report on or before January 15, 2008.

Requires the Department of Justice to submit a report that specifies the amount of funding from all sources other than the General Fund and any revisions that occur as a result of actual reimbursements. The report is to be submitted to the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee and the Legislative Services Agency (LSA) by January 15, 2008.

3 15 Sec. 2. OFFICE OF CONSUMER ADVOCATE. There is
 3 16 appropriated from the general fund of the state to the office
 3 17 of consumer advocate of the department of justice for the
 3 18 fiscal year beginning July 1, 2007, and ending June 30, 2008,
 3 19 the following amount, or so much thereof as is necessary, to
 3 20 be used for the purposes designated:

General Fund appropriation to the Department of Justice for the Office of the Consumer Advocate.

DETAIL: Maintains current level of General Fund support and FTE positions.

3 21 For salaries, support, maintenance, miscellaneous purposes,
 3 22 and for not more than the following full-time equivalent
 3 23 positions:

3 24 \$ 2,985,115
 3 25 FTEs 27.00

3 26 Sec. 3. DEPARTMENT OF CORRECTIONS — FACILITIES.

3 27 1. There is appropriated from the general fund of the
 3 28 state to the department of corrections for the fiscal year
 3 29 beginning July 1, 2007, and ending June 30, 2008, the
 3 30 following amounts, or so much thereof as is necessary, to be
 3 31 used for the purposes designated:

3 32 For the operation of adult correctional institutions,
 3 33 reimbursement of counties for certain confinement costs, and
 3 34 federal prison reimbursement, to be allocated as follows:

3 35 a. For the operation of the Fort Madison correctional
 4 1 facility, including salaries, support, maintenance, and
 4 2 miscellaneous purposes:

General Fund appropriation to the Department of Corrections (DOC) for the Fort Madison Correctional Facility.

4 3 \$ 43,008,741

DETAIL: This is a decrease of \$695,705 and no change in FTE positions compared to the estimated net FY 2007 General Fund appropriation. The change includes:

- An increase of \$75,107 for Department of Administrative Services (DAS) reimbursements.
- An increase of \$356,614 for increased costs and usage of food, fuel, and pharmacy.
- An increase of \$303,759 to reduce the salary shortfall. This amount is equivalent to 6.75 correctional officer positions.
- A decrease of \$1,431,185 to transfer funds to the Iowa Medical Classification Center at Oakdale to create a centralized pharmacy.

NOTE: House File 907 (FY 2008 Healthy Iowans Tobacco Trust Appropriations Act) provides an appropriation of \$1,497,285 for the Clinical Care Unit at the Iowa State Penitentiary at Fort Madison.

210 4 4 b. For the operation of the Anamosa correctional facility,
4 5 including salaries, support, maintenance, and miscellaneous
4 6 purposes:
4 7 \$ 29,762,656

General Fund appropriation to the DOC for the Anamosa Correctional Facility.

DETAIL: This is a decrease of \$345,508 and 0.50 FTE position compared to the estimated net FY 2007 General Fund appropriation. The change includes:

- An increase of \$71,994 for DAS reimbursements.
- A decrease of \$72,810 for food, fuel, and pharmacy.
- An increase of \$145,000 to pay water utilities.
- An increase of \$324,453 to reduce the salary shortfall. This amount is equivalent to 7.21 correctional officer positions.
- A decrease of \$814,145 to transfer funds to the Iowa Medical Classification Center at Oakdale to create a centralized pharmacy.
- A decrease of 0.50 FTE position for a budget adjustment.

NOTE: Senate File 403 (FY 2007 Supplemental Appropriations Act) provides an FY 2007 supplemental appropriation of \$350,000 for the Anamosa State Penitentiary for food, fuel, and pharmacy cost increases (\$300,000) and a correctional officer position (\$50,000).

PG LN	Senate File 575	Explanation
4 8	Moneys are provided within this appropriation for one full–	Specifies that funds be provided for one substance abuse counselor at the Luster Heights Facility.
4 9	time substance abuse counselor for the Luster Heights	
4 10	facility, for the purpose of certification of a substance	
4 11	abuse program at that facility.	
4 12	c. For the operation of the Oakdale correctional facility,	General Fund appropriation to the DOC for the Oakdale Correctional Facility. DETAIL: This is an increase of \$21,331,219 and 269.94 FTE positions compared to the estimated net FY 2007 General Fund appropriation. The change includes:
4 13	including salaries, support, maintenance, and miscellaneous	
4 14	purposes:	
4 15	..... \$ 54,703,304
		<ul style="list-style-type: none"> • • An increase of \$3,728 for DAS reimbursements. • An increase of \$300,000 for centralized substance abuse assessments conducted by a private contractor. • An increase of \$14,013,914 and 269.94 FTE positions for the 178-bed Special Needs Unit. • An increase of \$6,876,387 to create a centralized pharmacy by transferring funds from the other Institutions. • An increase of \$137,190 to reduce the salary shortfall. This amount is equivalent to 3.05 correctional officer positions.
		NOTE: Senate File 403 (FY 2007 Supplemental Appropriations Act) provides an FY 2007 supplemental appropriation of \$3,420,538 to open the 178-bed Special Needs Unit.
4 16	d. For the operation of the Newton correctional facility,	General Fund appropriation to the DOC for the Newton Correctional Facility. DETAIL: This is a decrease of \$571,614 and no change in FTE positions compared to the estimated net FY 2007 General Fund appropriation. The change includes:
4 17	including salaries, support, maintenance, and miscellaneous	
4 18	purposes:	
4 19	..... \$ 26,390,784
		<ul style="list-style-type: none"> • • An increase of \$29,438 for DAS reimbursements. • An increase of \$245,652 for increased costs and usage of food, fuel, and pharmacy. • An increase of \$126,450 to reduce the salary shortfall. This amount is equivalent to 2.81 correctional officer positions. • A decrease of \$973,154 to transfer funds to the Iowa Medical

Classification Center at Oakdale to create a centralized pharmacy.
 NOTE: Senate File 601 (FY 2008 Standing Appropriations Act) repealed the allocation of \$560,000 in judicial receipts for the Newton Correctional Facility and appropriated \$560,000 from the General Fund for the Newton Correctional Facility to offset the repeal of the allocation.

4 20 e. For the operation of the Mt. Pleasant correctional
 4 21 facility, including salaries, support, maintenance, and
 4 22 miscellaneous purposes:
 4 23 \$ 25,384,926

General Fund appropriation to the DOC for the Mount Pleasant Correctional Facility.

DETAIL: This is a decrease of \$930,202 and no change in FTE positions compared to the estimated net FY 2007 General Fund appropriation. The change includes:

- An increase of \$58,992 for DAS reimbursements.
- A decrease of \$285,575 for food, fuel, and pharmacy.
- An increase of \$232,020 to reduce the salary shortfall. This amount is equivalent to 5.16 correctional officer positions.
- A decrease of \$935,639 to transfer funds to the Iowa Medical Classification Center at Oakdale to create a centralized pharmacy.

NOTE: Senate File 403 (FY 2007 Supplemental Appropriations Act) provides an FY 2007 supplemental appropriation of \$550,000 for the Mount Pleasant Correctional Facility for food, fuel, and pharmacy cost increases (\$500,000) and a correctional officer position (\$50,000).

4 24 f. For the operation of the Rockwell City correctional
 4 25 facility, including salaries, support, maintenance, and
 4 26 miscellaneous purposes:
 4 27 \$ 8,706,242

General Fund appropriation to the DOC for the Rockwell City Correctional Facility.

DETAIL: This is a decrease of \$114,114 and no change in FTE positions compared to the estimated net FY 2007 General Fund appropriation. The change includes:

- An increase of \$3,190 for DAS reimbursements.
- An increase of \$73,642 for increased costs and usage of food, fuel, and pharmacy.
- An increase of \$31,910 to reduce the salary shortfall. This amount is equivalent to 0.71 correctional officer position.
- A decrease of \$222,856 to transfer funds to the Iowa Medical

Classification Center at Oakdale to create a centralized pharmacy.

4 28 g. For the operation of the Clarinda correctional
 4 29 facility, including salaries, support, maintenance, and
 4 30 miscellaneous purposes:
 4 31 \$ 24,099,579

General Fund appropriation to the DOC for the Clarinda Correctional Facility.

DETAIL: This is a decrease of \$1,387,497 and no change in FTE positions compared to the estimated net FY 2007 General Fund appropriation. The change includes:

- An increase of \$38,632 for DAS reimbursements.
- A decrease of \$216,297 for food, fuel, and pharmacy.
- An increase of \$154,099 to reduce the salary shortfall. This amount is equivalent to 3.43 correctional officer positions.
- A decrease of \$1,363,931 to transfer funds to the Iowa Medical Classification Center at Oakdale to create a centralized pharmacy.

NOTE: Senate File 403 (FY 2007 Supplemental Appropriations Act) provides an FY 2007 supplemental appropriation of \$400,000 for the Clarinda Correctional Facility for food, fuel, and pharmacy cost increases.

4 32 Moneys received by the department of corrections as
 4 33 reimbursement for services provided to the Clarinda youth
 4 34 corporation are appropriated to the department and shall be
 4 35 used for the purpose of operating the Clarinda correctional
 5 1 facility.

Appropriates reimbursements from the Clarinda Youth Academy to the DOC for operating costs associated with the Clarinda Correctional Facility.

DETAIL: The Clarinda Youth Academy's annual reimbursement to the prison is approximately \$1,000,000.

5 2 h. For the operation of the Mitchellville correctional
 5 3 facility, including salaries, support, maintenance, and
 5 4 miscellaneous purposes:
 5 5 \$ 15,294,520

General Fund appropriation to the DOC for the Mitchellville Correctional Facility.

DETAIL: This is a decrease of \$155,077 and no change in FTE positions compared to the estimated net FY 2007 General Fund appropriation. The change includes:

- An increase of \$48,869 for DAS reimbursements.
- An increase of \$146,102 for increased costs and usage of food, fuel, and pharmacy.
- An increase of \$107,862 to reduce the salary shortfall. This

- amount is equivalent to 2.40 correctional officer positions.
- A decrease of \$457,910 to transfer funds to the Iowa Medical Classification Center at Oakdale to create a centralized pharmacy.

5 6 i. For the operation of the Fort Dodge correctional
 5 7 facility, including salaries, support, maintenance, and
 5 8 miscellaneous purposes:
 5 9 \$ 28,407,564

General Fund appropriation to the DOC for the Fort Dodge Correctional Facility.

DETAIL: This is a decrease of \$151,725 and no change in FTE positions compared to the estimated net FY 2007 General Fund appropriation. The change includes:

- An increase of \$71,318 for DAS reimbursements.
- An increase of \$192,266 for increased costs and usage of food, fuel, and pharmacy.
- An increase of \$262,258 to reduce the salary shortfall. This amount is equivalent to 5.83 correctional officer positions.
- A decrease of \$677,567 to transfer funds to the Iowa Medical Classification Center at Oakdale to create a centralized pharmacy.

5 10 j. For reimbursement of counties for temporary confinement
 5 11 of work release and parole violators, as provided in sections
 5 12 901.7, 904.908, and 906.17, and for offenders confined
 5 13 pursuant to section 904.513:
 5 14 \$ 1,199,954

General Fund appropriation to the DOC for the County Confinement Account to pay for holding alleged parole and work release violators until their revocation hearing.

DETAIL: Maintains current level of General Fund support.

5 15 k. For federal prison reimbursement, reimbursements for
 5 16 out-of-state placements, and miscellaneous contracts:
 5 17 \$ 241,293

General Fund appropriation to the DOC to reimburse the federal Bureau of Prisons for confining Iowa inmates and to pay miscellaneous contracts.

DETAIL: Maintains current level of General Fund support.

5 18 2. The department of corrections shall use funds
 5 19 appropriated in subsection 1 to continue to contract for the
 5 20 services of a Muslim imam.

Requires the DOC to contract with a Muslim imam to provide religious services and religious counseling.

DETAIL: This contract is required pursuant to a federal court order.

5 21 3. As a condition of the appropriations in subsection 1,
 5 22 the department shall hire 37 full-time equivalent correctional

Requires the DOC to hire 37.34 correctional officer positions that were vacant on March 13, 2007.

5 23 officer positions that were vacant on March 13, 2007.

DETAIL: These vacant positions include the following:

- Iowa State Penitentiary at Fort Madison - 6.75.
- Anamosa State Penitentiary - 7.21.
- Iowa Medical Classification Center at Oakdale - 3.05.
- Newton Correctional Facility - 2.81.
- Mount Pleasant Correctional Facility - 5.16.
- North Central Correctional Facility at Rockwell City - 0.71.
- Clarinda Correctional Facility - 3.42.
- Iowa Correctional Institution for Women at Mitchellville - 2.40.
- Fort Dodge Correctional Facility - 5.83.

5 24 Sec. 4. DEPARTMENT OF CORRECTIONS — ADMINISTRATION.

5 25 1. There is appropriated from the general fund of the
 5 26 state to the department of corrections for the fiscal year
 5 27 beginning July 1, 2007, and ending June 30, 2008, the
 5 28 following amounts, or so much thereof as is necessary, to be
 5 29 used for the purposes designated:

5 30 a. For general administration, including salaries,
 5 31 support, maintenance, employment of an education director to
 5 32 administer a centralized education program for the
 5 33 correctional system, and miscellaneous purposes:
 5 34 \$ 4,855,626

General Fund appropriation to the DOC for the Central Office.

DETAIL: This is an increase of \$521,927 and 2.00 FTE positions compared to the estimated net FY 2007 General Fund appropriation. The change includes:

- An increase of \$210,600 for DAS reimbursements.
- An increase of \$196,327 and 1.00 FTE position for a Safety Inspector and to replace expired federal funds (Prison Rape Elimination Act) that funded 2.00 FTE positions.
- An increase of \$115,000 and 1.00 FTE position for salary and support costs for a Director of Security.

NOTE: Senate File 403 (FY 2007 Supplemental Appropriations Act) provides an FY 2007 supplemental appropriation of \$200,000 to provide for the salaries of currently filled Central Office Staff positions.

5 35 (1) It is the intent of the general assembly that as a
 6 1 condition of receiving the appropriation provided in this

Specifies that it is the intent of the General Assembly that, as a condition of receiving appropriated funds, the DOC not enter into a new contract in excess of \$100,000 for privatized services during FY

6 2 lettered paragraph, the department of corrections shall not,
 6 3 except as otherwise provided in subparagraph (3), enter into a
 6 4 new contract, unless the contract is a renewal of an existing
 6 5 contract, for the expenditure of moneys in excess of \$100,000
 6 6 during the fiscal year beginning July 1, 2007, for the
 6 7 privatization of services performed by the department using
 6 8 state employees as of July 1, 2007, or for the privatization
 6 9 of new services by the department, without prior consultation
 6 10 with any applicable state employee organization affected by
 6 11 the proposed new contract and prior notification of the co-
 6 12 chairpersons and ranking members of the joint appropriations
 6 13 subcommittee on the justice system.

2008 without prior notification of the Chairpersons and Ranking
 Members of the Justice System Appropriations Subcommittee.
 Existing contracts may be renewed without notification.

6 14 (2) It is the intent of the general assembly that each
 6 15 lease negotiated by the department of corrections with a
 6 16 private corporation for the purpose of providing private
 6 17 industry employment of inmates in a correctional institution
 6 18 shall prohibit the private corporation from utilizing inmate
 6 19 labor for partisan political purposes for any person seeking
 6 20 election to public office in this state and that a violation
 6 21 of this requirement shall result in a termination of the lease
 6 22 agreement.

Specifies that it is the intent of the General Assembly that the DOC
 prohibit the use of inmate labor for partisan political activities within
 Iowa when contracting for inmate workers to be employed by a private
 business. Violation of these contract terms will result in termination of
 the contract.

6 23 (3) It is the intent of the general assembly that as a
 6 24 condition of receiving the appropriation provided in this
 6 25 lettered paragraph, the department of corrections shall not
 6 26 enter into a lease or contractual agreement pursuant to
 6 27 section 904.809 with a private corporation for the use of
 6 28 building space for the purpose of providing inmate employment
 6 29 without providing that the terms of the lease or contract
 6 30 establish safeguards to restrict, to the greatest extent
 6 31 feasible, access by inmates working for the private
 6 32 corporation to personal identifying information of citizens.

Specifies that it is the intent of the General Assembly that, as a
 condition of receiving appropriated funds, the DOC, when contracting
 with a private business for inmate employment, shall restrict inmates'
 access to citizens' personal identifying information.

6 33 b. For educational programs for inmates at state penal
 6 34 institutions:
 6 35 \$ 2,070,358

General Fund appropriation to the DOC for educational programs for
 inmates.

DETAIL: This is an increase of \$1,000,000 compared to the estimated net FY 2007 General Fund appropriation to expand the program.

NOTE: Senate File 601 (FY 2008 Standing Appropriations Act)

reduced the appropriation by \$500,000. The net increase for the General Fund appropriation is \$500,000.

Specifies that it is the intent of the General Assembly that these funds be used only for inmate education. Also, requires the DOC to consult with community colleges located within the area of the prisons regarding how to maintain the high school completion, high school equivalency diploma, adult literacy, and adult basic education programs at the Institutions. Requires the DOC to establish guidelines and procedures to prioritize admission to educational and vocational programs to facilitate inmates' successful release from prison. Permits the DOC to transfer funds from the Iowa Prison Industries Revolving Fund for educational programs for inmates.

CODE: Requires nonreversion of funds for the Inmate Education Program.

General Fund appropriation to the DOC for the Iowa Corrections Offender Network (ICON).

7 1 It is the intent of the general assembly that moneys
7 2 appropriated in this lettered paragraph shall be used solely
7 3 for the purpose indicated and that the moneys shall not be
7 4 transferred for any other purpose. In addition, it is the
7 5 intent of the general assembly that the department shall
7 6 consult with the community colleges in the areas in which the
7 7 institutions are located to utilize moneys appropriated in
7 8 this lettered paragraph to fund the high school completion,
7 9 high school equivalency diploma, adult literacy, and adult
7 10 basic education programs in a manner so as to maintain these
7 11 programs at the institutions.

7 12 To maximize the funding for educational programs, the
7 13 department shall establish guidelines and procedures to
7 14 prioritize the availability of educational and vocational
7 15 training for inmates based upon the goal of facilitating an
7 16 inmate's successful release from the correctional institution.

7 17 The director of the department of corrections may transfer
7 18 moneys from Iowa prison industries for use in educational
7 19 programs for inmates.

7 20 Notwithstanding section 8.33, moneys appropriated in this
7 21 lettered paragraph that remain unobligated or unexpended at
7 22 the close of the fiscal year shall not revert but shall remain
7 23 available for expenditure only for the purpose designated in
7 24 this lettered paragraph until the close of the succeeding
7 25 fiscal year.

7 26 c. For the development of the Iowa corrections offender

PG LN	Senate File 575	Explanation
7 27	network (ICON) data system:	
7 28	..... \$ 427,700	DETAIL: Maintains current level of General Fund support.
7 29	d. For offender mental health and substance abuse	General Fund appropriation to the DOC for mental health and
7 30	treatment:	substance abuse treatment.
7 31	..... \$ 25,000	DETAIL: Maintains current level of General Fund support.
7 32	e. For viral hepatitis prevention and treatment:	General Fund appropriation to the DOC for viral hepatitis prevention
7 33	..... \$ 188,000	and treatment.
		DETAIL: Maintains current level of General Fund support.
7 34	f. For a transitional housing pilot project for offenders	General Fund appropriation to the DOC for a transitional housing pilot
7 35	on parole who are in the early stages of recovery from	project for offenders on parole.
8 1	substance abuse:	
8 2	..... \$ 30,000	DETAIL: This is an increase of \$10,000 compared to the estimated
		net FY 2007 General Fund appropriation.
8 3	The department of corrections shall contract with a private	Requires the DOC to contract with a private nonprofit substance abuse
8 4	nonprofit substance abuse treatment provider in a city with a	treatment provider in Waterloo for a transitional housing pilot project.
8 5	population exceeding sixty-five thousand but not exceeding	Requires the DOC to submit a report regarding the pilot project to the
8 6	seventy thousand to implement the pilot project. The	Chairpersons and Ranking Members of the Justice System
8 7	department shall file a report with the co-chairpersons and	Appropriations Subcommittee and the LSA by February 1, 2008.
8 8	ranking members of the appropriations subcommittee on the	Specifies the content of the report.
8 9	justice system and the legislative services agency by February	
8 10	1, 2008, detailing the number of offenders served by the pilot	
8 11	project, the recidivism rate, a description of the type of	
8 12	services received by the offenders, and the number of prison	
8 13	bed days saved by the pilot project.	
8 14	2. It is the intent of the general assembly that the	Specifies that it is the intent of the General Assembly that the DOC
8 15	department of corrections shall continue to operate the	continue farm operations at the same or greater level as existed on
8 16	correctional farms under the control of the department at the	January 1, 2007. The DOC is prohibited from renting farmland under
8 17	same or greater level of participation and involvement as	the control of the DOC that is not currently being rented without
8 18	existed as of January 1, 2007, shall not enter into any rental	legislative approval. The DOC is to provide meaningful job
8 19	agreement or contract concerning any farmland under the	opportunities for inmates employed on the farms.
8 20	control of the department that is not subject to a rental	

8 21 agreement or contract as of January 1, 2007, without prior
8 22 legislative approval, and shall further attempt to provide job
8 23 opportunities at the farms for inmates. The department shall
8 24 attempt to provide job opportunities at the farms for inmates
8 25 by encouraging labor-intensive farming or gardening where
8 26 appropriate, using inmates to grow produce and meat for
8 27 institutional consumption, researching the possibility of
8 28 instituting food canning and cook-and-chill operations, and
8 29 exploring opportunities for organic farming and gardening,
8 30 livestock ventures, horticulture, and specialized crops.

8 31 3. The department of corrections shall submit a report to
8 32 the general assembly by January 1, 2008, concerning moneys
8 33 recouped from inmate earnings for the reimbursement of
8 34 operational expenses of the applicable facility during the
8 35 fiscal year beginning July 1, 2006, for each correctional
9 1 institution and judicial district department of correctional
9 2 services. In addition, each correctional institution and
9 3 judicial district department of correctional services shall
9 4 continue to submit a report to the legislative services agency
9 5 on a monthly basis concerning moneys recouped from inmate
9 6 earnings pursuant to sections 904.702, 904.809, and 905.14.

9 7 4. It is the intent of the general assembly that as a
9 8 condition of receiving the appropriation provided in
9 9 subsection 1, the department shall not enter into any
9 10 agreement with a private sector nongovernmental entity for the
9 11 purpose of housing inmates committed to the custody of the
9 12 director of the department, without express authorization of
9 13 the general assembly to do so.

9 14 Sec. 5. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL
9 15 SERVICES.

9 16 1. There is appropriated from the general fund of the
9 17 state to the department of corrections for the fiscal year
9 18 beginning July 1, 2007, and ending June 30, 2008, for the

Requires the DOC to submit a report to the General Assembly by January 1, 2008, concerning the FY 2007 revenues recouped from inmate earnings for operational expenses for each prison and Community-Based Corrections (CBC) District Department. Each prison and CBC District Department is required to submit monthly reports to the LSA concerning funds recovered from offenders for inmate deductions, private sector employment of inmates, and enrollment fees.

Prohibits the DOC from contracting with a private sector nongovernmental entity to house inmates, unless authorized by the General Assembly.

9 19 treatment and supervision of probation and parole violators
 9 20 who have been released from the department of corrections
 9 21 violator program, the following amounts, or so much thereof as
 9 22 is necessary, to be allocated as follows:

9 23 a. For the first judicial district department of
 9 24 correctional services:
 9 25 \$ 12,012,728

General Fund appropriation to the DOC for the First Community-Based Corrections (CBC) District Department.

DETAIL: This is an increase of \$378,638 and 3.00 FTE positions compared to the estimated net FY 2007 General Fund appropriation. The change includes:

- An increase of \$4,976 for DAS reimbursements.
- An increase of \$20,921 for increased costs and usage of food, fuel, and pharmacy.
- An increase of \$240,962 and 2.00 FTE positions for Parole/Probation Officers for sex offender supervision and monitoring.
- An increase of \$111,779 and 1.00 FTE position for a Drug Court Program.

NOTE: House File 907 (FY 2008 Healthy Iowans Tobacco Trust Appropriations Act) provides an appropriation of \$228,216 for the First CBC District Department.

9 26 b. For the second judicial district department of
 9 27 correctional services:
 9 28 \$ 9,526,073

General Fund appropriation to the DOC for the Second CBC District Department.

DETAIL: This is an increase of \$253,807 and 2.00 FTE positions compared to the estimated net FY 2007 General Fund appropriation. The change includes:

- An increase of \$242 for DAS reimbursements.
- An increase of \$11,082 for increased costs and usage of food, fuel, and pharmacy.
- An increase of \$242,483 and 2.00 FTE positions for Parole/Probation Officers for sex offender supervision and monitoring.

NOTE: House File 907 (FY 2008 Healthy Iowans Tobacco Trust Appropriations Act) provides an appropriation of \$406,217 for the Second CBC District Department.

9 29 c. For the third judicial district department of
 9 30 correctional services:
 9 31 \$ 5,664,144

General Fund appropriation to the DOC for the Third CBC District Department.

DETAIL: This is an increase of \$160,473 and 2.00 FTE positions compared to the estimated net FY 2007 General Fund appropriation. The change includes:

- An increase of \$1,152 for DAS reimbursements.
- An increase of \$3,823 for increased costs and usage of food, fuel, and pharmacy.
- An increase of \$155,498 and 2.00 FTE positions for Parole/Probation Officers for sex offender supervision and monitoring.

NOTE: House File 907 (FY 2008 Healthy Iowans Tobacco Trust Appropriations Act) provides an appropriation of \$200,359 for the Third CBC District Department.

9 32 d. For the fourth judicial district department of
 9 33 correctional services:
 9 34 \$ 5,054,664

General Fund appropriation to the DOC for the Fourth CBC District Department.

DETAIL: This is an increase of \$100,269 and 1.00 FTE position compared to the estimated net FY 2007 General Fund appropriation. The change includes:

- An increase of \$500 for DAS reimbursements.
- An increase of \$9,329 for increased costs and usage of food, fuel, and pharmacy.
- An increase of \$90,440 and 1.00 FTE position for Parole/Probation Officers for sex offender supervision and monitoring.

NOTE: House File 907 (FY 2008 Healthy Iowans Tobacco Trust Appropriations Act) provides an appropriation of \$291,731 for the

Fourth CBC District Department. House File 909 (FY 2008 Health and Human Services Appropriations Act) provides a General Fund appropriation of \$25,000 for the Fourth CBC District Department.

9 35 e. For the fifth judicial district department of
10 1 correctional services, including funding for electronic
10 2 monitoring devices for use on a statewide basis:
10 3 \$ 17,115,974

General Fund appropriation to the DOC for the Fifth CBC District Department.

DETAIL: This is an increase of \$446,004 and 3.00 FTE positions compared to the estimated net FY 2007 General Fund appropriation. The change includes:

- An increase of \$10,000 for DAS reimbursements.
- An increase of \$27,789 for increased costs and usage of food, fuel, and pharmacy.
- An increase of \$408,215 and 3.00 FTE positions for Parole/Probation Officers for sex offender supervision and monitoring.

NOTE: House File 907 (FY 2008 Healthy Iowans Tobacco Trust Appropriations Act) provides an appropriation of \$355,693 for the Fifth CBC District Department.

10 4 f. For the sixth judicial district department of
10 5 correctional services:
10 6 \$ 12,203,009

General Fund appropriation to the DOC for the Sixth CBC District Department.

DETAIL: This is an increase of \$739,938 and 3.00 FTE positions compared to the estimated net FY 2007 General Fund appropriation. The change includes:

- An increase of \$311 for DAS reimbursements.
- An increase of \$20,105 for increased costs and usage of food, fuel, and pharmacy.
- An increase of \$211,301 and 2.00 FTE positions for Parole/Probation Officers for sex offender supervision and monitoring.
- An increase of \$508,221 to fund a partial year of operating costs for a 20-bed facility for offenders with mental illness.

10 7 The sixth judicial district department of correctional
 10 8 services shall maintain a youth leadership model program to
 10 9 help at-risk youth. As a part of the program, the district
 10 10 department may recruit college or high school students in the
 10 11 judicial district to work with at-risk youth. The student
 10 12 workers shall be recruited regardless of gender and be
 10 13 recommended by their respective schools as good role models,
 10 14 including but not limited to students who possess capabilities
 10 15 in one or more of the following areas of ability:
 10 16 intellectual capacity, athletics, visual arts, or performing
 10 17 arts.

10 18 g. For the seventh judicial district department of
 10 19 correctional services:
 10 20 \$ 6,713,412

- An increase of 1.00 FTE position for a budget adjustment.

NOTE: House File 907 (FY 2008 Healthy Iowans Tobacco Trust Appropriations Act) provides an appropriation of \$494,741 for the Sixth CBC District Department. Senate File 601 (FY 2008 Standing Appropriations Act) reduced the appropriation by \$200,000. The net increase for the General Fund appropriation is \$539,938.

Requires the Sixth CBC District Department to maintain a youth leadership model program. Specifies the requirements of the program.

General Fund appropriation to the DOC for the Seventh CBC District Department.

DETAIL: This is an increase of \$197,383 and 2.00 FTE positions compared to the estimated net FY 2007 General Fund appropriation. The change includes:

- An increase of \$462 for DAS reimbursements.
- An increase of \$16,801 for increased costs and usage of food, fuel, and pharmacy.
- An increase of \$180,120 and 2.00 FTE positions for Parole/Probation Officers for sex offender supervision and monitoring.

NOTE: House File 907 (FY 2008 Healthy Iowans Tobacco Trust Appropriations Act) provides an appropriation of \$232,232 for the Seventh CBC District Department.

10 21 h. For the eighth judicial district department of
 10 22 correctional services:
 10 23 \$ 6,794,585

General Fund appropriation to the DOC for the Eighth CBC District Department.

DETAIL: This is an increase of \$240,408 and 2.00 FTE positions compared to the estimated net FY 2007 General Fund appropriation. The change includes:

- An increase of \$2,886 for DAS reimbursements.
- An increase of \$11,771 for increased costs and usage of food, fuel, and pharmacy.
- An increase of \$225,751 and 2.00 FTE positions for Parole/Probation Officers for sex offender supervision and monitoring.

NOTE: House File 907 (FY 2008 Healthy Iowans Tobacco Trust Appropriations Act) provides an appropriation of \$300,000 for the Eighth CBC District Department.

10 24 2. Each judicial district department of correctional
 10 25 services, within the funding available, shall continue
 10 26 programs and plans established within that district to provide
 10 27 for intensive supervision, sex offender treatment, diversion
 10 28 of low-risk offenders to the least restrictive sanction
 10 29 available, job development, and expanded use of intermediate
 10 30 criminal sanctions.

Requires each CBC District Department, within available funding, to continue programs and plans established within the District Department for intensive supervision, sex offender treatment, diversion of low-risk offenders to the least restrictive sanction available, job development, and expanded use of intermediate sanctions.

10 31 3. Each judicial district department of correctional
 10 32 services shall provide alternatives to prison consistent with
 10 33 chapter 901B. The alternatives to prison shall ensure public
 10 34 safety while providing maximum rehabilitation to the offender.
 10 35 A judicial district department may also establish a day
 11 1 program.

Requires each CBC District Department to provide alternatives to prison consistent with statute. Permits the District Departments to establish day programs.

11 2 4. The governor's office of drug control policy shall
 11 3 consider federal grants made to the department of corrections
 11 4 for the benefit of each of the eight judicial district
 11 5 departments of correctional services as local government
 11 6 grants, as defined pursuant to federal regulations.

Requires the Office of Drug Control Policy to consider grants made to the DOC for the benefit of the CBC District Departments as local government grants rather than State government grants or as defined by federal regulations.

11 7 5. The department of corrections shall continue to
 11 8 contract with a judicial district department of correctional
 11 9 services to provide for the rental of electronic monitoring
 11 10 equipment which shall be available statewide.

Requires the DOC to contract with a CBC District Department for the rental of electronic monitoring equipment.

DETAIL: The DOC contracts with the Fifth CBC District Department for electronic monitoring devices that are available statewide.

11 11 Sec. 6. DEPARTMENT OF CORRECTIONS — REALLOCATION OF
 11 12 APPROPRIATIONS. Notwithstanding section 8.39, within the
 11 13 funds appropriated in this Act to the department of
 11 14 corrections, the department may reallocate the funds
 11 15 appropriated and allocated as necessary to best fulfill the
 11 16 needs of the correctional institutions, administration of the
 11 17 department, and the judicial district departments of
 11 18 correctional services. However, in addition to complying with
 11 19 the requirements of sections 904.116 and 905.8 and providing
 11 20 notice to the legislative services agency, the department of
 11 21 corrections shall also provide notice to the department of
 11 22 management, prior to the effective date of the revision or
 11 23 reallocation of an appropriation made pursuant to this
 11 24 section. The department shall not reallocate an appropriation
 11 25 or allocation for the purpose of eliminating any program.

CODE: Permits the DOC to reallocate appropriations between the correctional institutions, Central Office, and CBC District Departments. Requires the DOC to provide notice to the Department of Management and the LSA before reallocating the funds. Prohibits the reallocation of funds to eliminate a program.

11 26 Sec. 7. INTENT — REPORTS.

11 27 1. The department in cooperation with townships, the Iowa
 11 28 cemetery associations, and other nonprofit or governmental
 11 29 entities may use inmate labor during the fiscal year beginning
 11 30 July 1, 2007, to restore or preserve rural cemeteries and
 11 31 historical landmarks. The department in cooperation with the
 11 32 counties may also use inmate labor to clean up roads, major
 11 33 water sources, and other water sources around the state.

Permits the DOC to work with nonprofit and governmental entities to use inmate labor to restore or preserve rural cemeteries or historical landmarks, and to clean up roads and water resources.

11 34 2. Each month the department shall provide a status report
 11 35 regarding private-sector employment to the legislative
 12 1 services agency beginning on July 1, 2007. The report shall

Requires the DOC to provide a monthly status report to the LSA regarding private sector employment of inmates.

12 2 include the number of offenders employed in the private
12 3 sector, the combined number of hours worked by the offenders,
12 4 and the total amount of allowances, and the distribution of
12 5 allowances pursuant to section 904.702, including any moneys
12 6 deposited in the general fund of the state.

12 7 Sec. 8. ELECTRONIC MONITORING REPORT. The department of
12 8 corrections shall submit a report on electronic monitoring to
12 9 the general assembly, to the co-chairpersons and the ranking
12 10 members of the joint appropriations subcommittee on the
12 11 justice system, and to the legislative services agency by
12 12 January 15, 2008. The report shall specifically address the
12 13 number of persons being electronically monitored and break
12 14 down the number of persons being electronically monitored by
12 15 offense committed. The report shall also include a comparison
12 16 of any data from the prior fiscal year with the current year.

Requires the DOC to submit a report regarding electronic monitoring to the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee and the LSA by January 15, 2008. Specifies the content of the report.

12 17 Sec. 9. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.

12 18 1. As used in this section, unless the context otherwise
12 19 requires, "state agency" means the government of the state of
12 20 Iowa, including but not limited to all executive branch
12 21 departments, agencies, boards, bureaus, and commissions, the
12 22 judicial branch, the general assembly and all legislative
12 23 agencies, institutions within the purview of the state board
12 24 of regents, and any corporation whose primary function is to
12 25 act as an instrumentality of the state.

12 26 2. State agencies are hereby encouraged to purchase
12 27 products from Iowa state industries, as defined in section
12 28 904.802, when purchases are required and the products are
12 29 available from Iowa state industries. State agencies shall
12 30 obtain bids from Iowa state industries for purchases of office
12 31 furniture during the fiscal year beginning July 1, 2007,
12 32 exceeding \$5,000 or in accordance with applicable
12 33 administrative rules related to purchases for the agency.

Encourages State agencies to buy products from Iowa Prison Industries whenever possible. Requires State agencies to obtain a bid from Iowa Prison Industries for purchases of office furniture exceeding \$5,000.

12 34 Sec. 10. STATE PUBLIC DEFENDER. There is appropriated
 12 35 from the general fund of the state to the office of the state
 13 1 public defender of the department of inspections and appeals
 13 2 for the fiscal year beginning July 1, 2007, and ending June
 13 3 30, 2008, the following amounts, or so much thereof as is
 13 4 necessary, to be allocated as follows for the purposes
 13 5 designated:

13 6 1. For salaries, support, maintenance, and miscellaneous
 13 7 purposes, and for not more than the following full-time
 13 8 equivalent positions:

13 9 \$ 20,845,271

13 10 FTEs 202.00

General Fund appropriation to the Department of Inspections and Appeals for the Office of the State Public Defender.

DETAIL: This is an increase of \$475,000 and no change in FTE positions compared to the estimated net FY 2007 General Fund appropriation. The increase funds currently authorized positions.

13 11 As a condition of receiving moneys under this subsection
 13 12 the state public defender shall make recommendations about
 13 13 containing the costs incurred by the office of the state
 13 14 public defender and court-appointed attorneys for providing
 13 15 legal representation of indigent persons. The state public
 13 16 defender shall report the recommendations to the
 13 17 co-chairpersons and ranking members of the joint
 13 18 appropriations subcommittee on the justice system, and to the
 13 19 legislative services agency by December 15, 2007.

Requires the State Public Defender to make recommendations for cost containment. Requires the State Public Defender to report those recommendations to the Chairs and Ranking Members of the Justice System Appropriations Subcommittee and the LSA by December 15, 2007.

13 20 2. For the fees of court-appointed attorneys for indigent
 13 21 adults and juveniles, in accordance with section 232.141 and
 13 22 chapter 815:

13 23 \$ 28,282,538

General Fund appropriation to the Department of Inspections and Appeals for the Indigent Defense Program.

DETAIL: This is an increase of \$3,119,456 compared to the estimated net FY 2007 General Fund appropriation.

NOTE: Senate File 601 (FY 2008 Standing Appropriations Act) repealed the allocation of \$3,000,000 in judicial receipts for the Indigent Defense Program and appropriated \$3,000,000 from the General Fund for the Indigent Defense Program to offset the repeal of the allocation.

13 24 Sec. 11. IOWA LAW ENFORCEMENT ACADEMY.

13 25 1. There is appropriated from the general fund of the
 13 26 state to the Iowa law enforcement academy for the fiscal year
 13 27 beginning July 1, 2007, and ending June 30, 2008, the
 13 28 following amount, or so much thereof as is necessary, to be
 13 29 used for the purposes designated:

13 30 For salaries, support, maintenance, miscellaneous purposes,
 13 31 including jailer training and technical assistance, and for
 13 32 not more than the following full-time equivalent positions:
 13 33 \$ 1,218,985
 13 34 FTEs 30.05

13 35 It is the intent of the general assembly that the Iowa law
 14 1 enforcement academy may provide training of state and local
 14 2 law enforcement personnel concerning the recognition of and
 14 3 response to persons with Alzheimer's disease.

228 14 4 The Iowa law enforcement academy may temporarily exceed and
 14 5 draw more than the amount appropriated and incur a negative
 14 6 cash balance as long as there are receivables equal to or
 14 7 greater than the negative balance and the amount appropriated
 14 8 in this subsection is not exceeded at the close of the fiscal
 14 9 year.

14 10 2. The Iowa law enforcement academy may select at least
 14 11 five automobiles of the department of public safety, division
 14 12 of state patrol, prior to turning over the automobiles to the
 14 13 department of administrative services to be disposed of by
 14 14 public auction and the Iowa law enforcement academy may
 14 15 exchange any automobile owned by the academy for each
 14 16 automobile selected if the selected automobile is used in
 14 17 training law enforcement officers at the academy. However,
 14 18 any automobile exchanged by the academy shall be substituted
 14 19 for the selected vehicle of the department of public safety
 14 20 and sold by public auction with the receipts being deposited
 14 21 in the depreciation fund to the credit of the department of
 14 22 public safety, division of state patrol.

General Fund appropriation to the Iowa Law Enforcement Academy (ILEA).

DETAIL: This is a decrease of \$7,000 and no change in FTE positions compared to the estimated net FY 2007 General Fund appropriation. The change includes:

- A decrease of \$25,000 for one-time funds provided in FY 2007 for the purchase of equipment and furnishings.
- An increase of \$18,000 for increased vehicle depreciation, fuel costs, and utility costs.

Specifies the intent of the General Assembly that the Academy may offer training for law enforcement officers in recognizing and responding to persons with Alzheimer's disease.

Allows the ILEA to incur a negative General Fund balance as long as there are equal receivables coming into the Academy by the close of the fiscal year.

DETAIL: The language is to assist with cash flow issues the Academy faces in the last quarter of the fiscal year.

Allows the Academy to annually exchange at least five vehicles turned into the State Fleet Administrator by the Department of Public Safety for any of the Academy's training vehicles. The vehicles received from the Academy are to be sold at public auction with the receipts to be deposited into the Depreciation Fund used to purchase new vehicles for the Department of Public Safety (DPS).

14 23 Sec. 12. BOARD OF PAROLE. There is appropriated from the
 14 24 general fund of the state to the board of parole for the
 14 25 fiscal year beginning July 1, 2007, and ending June 30, 2008,
 14 26 the following amount, or so much thereof as is necessary, to
 14 27 be used for the purposes designated:

14 28 For salaries, support, maintenance, miscellaneous purposes,
 14 29 and for not more than the following full-time equivalent
 14 30 positions:

14 31 \$ 1,177,849

14 32 FTEs 17.50

14 33 Sec. 13. DEPARTMENT OF PUBLIC DEFENSE. There is
 14 34 appropriated from the general fund of the state to the
 14 35 department of public defense for the fiscal year beginning
 15 1 July 1, 2007, and ending June 30, 2008, the following amounts,
 15 2 or so much thereof as is necessary, to be used for the
 15 3 purposes designated:

15 4 1. MILITARY DIVISION

15 5 For salaries, support, maintenance, miscellaneous purposes,
 15 6 and for not more than the following full-time equivalent
 15 7 positions:

15 8 \$ 6,003,767

15 9 FTEs 316.85

15 10 The military division may temporarily exceed and draw more
 15 11 than the amount appropriated and incur a negative cash balance
 15 12 as long as there are receivables of federal funds equal to or
 15 13 greater than the negative balance and the amount appropriated
 15 14 in this subsection is not exceeded at the close of the fiscal
 15 15 year.

General Fund appropriation to the Board of Parole.

DETAIL: Maintains current level of General Fund support and FTE positions.

General Fund appropriation to the Military Division of the Department of Public Defense.

DETAIL: This is an increase of \$74,600 due to increased DAS fees for fuel and utilities and no change in FTE positions compared to the estimated net FY 2007 General Fund appropriation.

Allows the Military Division to incur a negative cash balance as long as the Division has federal reimbursable expenses to cover the negative balance.

DETAIL: The Military Division can experience a delay of up to 30 days in federal reimbursement for eligible expenses. This authorization allows the Division to borrow State General Funds to cover these expenses until the federal funds are received. To alleviate the cash flow problem, the federal government has instituted an Advance Payment System that allows the State to receive an advance of federal funds in order to meet payroll and other requirements. The

Division has implemented the accounting procedures to use the new System.

15 16 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION

15 17 a. For salaries, support, maintenance, miscellaneous
15 18 purposes, and for not more than the following full-time
15 19 equivalent positions:

15 20 \$ 2,101,033
15 21 FTEs 35.00

General Fund appropriation to the Emergency Management Division of the Department of Public Defense.

DETAIL: This is an increase of \$500,000 and 8.25 FTE positions compared to estimated net FY 2007 General Fund appropriation to replace expired federal funds.

15 22 b. For the Iowa civil air patrol:
15 23 \$ 120,000

General Fund appropriation for the Civil Air Patrol.

DETAIL: This is an increase of \$20,000 compared to the estimated net FY 2007 General Fund appropriation for additional statewide training funds.

15 24 It is the intent of the general assembly that the homeland
15 25 security and emergency management division work in conjunction
15 26 with the department of public safety, to the extent possible,
15 27 when gathering and analyzing information related to potential
15 28 domestic or foreign security threats, and when monitoring such
15 29 threats.

Specifies the intent of the General Assembly that the Homeland Security and Emergency Management Division work in conjunction with the Department of Public Safety when gathering and analyzing information related to potential domestic and foreign security threats.

15 30 Sec. 14. DEPARTMENT OF PUBLIC SAFETY. There is
15 31 appropriated from the general fund of the state to the
15 32 department of public safety for the fiscal year beginning July
15 33 1, 2007, and ending June 30, 2008, the following amounts, or
15 34 so much thereof as is necessary, to be used for the purposes
15 35 designated:

NOTE: Senate File 403 (FY 2007 Supplemental Appropriations Act) provided \$300,000 of one-time General Fund appropriations to the Department of Public Safety for equipment. The Department's equipment line-items were deappropriated in FY 2001 requiring the Department to use Asset Forfeiture Funds to purchase equipment.

Senate File 601 (FY 2008 Standing Appropriations Act) required \$775,000 for expenses associated with Capitol Building and Judicial Building security to be funded within the Legislative Branch budget for

FY 2008.

16 1 1. For the department's administrative functions,
 16 2 including the criminal justice information system, and for not
 16 3 more than the following full-time equivalent positions:

16 4 \$ 4,097,900
 16 5 FTEs 37.00

General Fund appropriation to the Department of Public Safety for the Administrative Services Division.

DETAIL: This is an increase of \$291,060 and a decrease of 1.00 FTE position compared to the estimated net FY 2007 General Fund appropriation. The change includes:

- An increase of \$272,770 for DAS reimbursements and the back-up disaster recovery system for the IOWA On-Line Warrants and Articles System.
- An increase of \$84,450 for maintenance agreements for virtual law enforcement support programs and computer hardware and software equipment needs.
- A decrease of \$66,160 and 1.00 FTE position to transfer the Uniform Crime Report to the Division of Narcotics Enforcement.

16 6 2. For the division of criminal investigation, including
 16 7 the state's contribution to the peace officers' retirement,
 16 8 accident, and disability system provided in chapter 97A in the
 16 9 amount of 17 percent of the salaries for which the funds are
 16 10 appropriated, to meet federal fund matching requirements, and
 16 11 for not more than the following full-time equivalent
 16 12 positions:

16 13 \$ 20,512,962
 16 14 FTEs 289.50

General Fund appropriation to the Department of Public Safety for the Division of Criminal Investigation (DCI).

DETAIL: This is an increase of \$1,042,521 and 18.00 FTE positions compared to the estimated net FY 2007 General Fund appropriation. The change includes:

- An increase of \$389,121 for 2.00 Special Agents and 6.00 gaming enforcement officers for the new facility in Burlington, 1.00 FTE position for an additional gaming enforcement officer in Worth County, and 1.00 FTE position for a licensing technician.
- An increase of \$265,400 for increased fuel, overtime, and equipment costs.
- An increase of \$388,000 and 3.00 FTE positions to continue and expand the Internet Crimes Against Children effort.
- An increase of 5.00 FTE positions funded from other receipts for Amusement Devices and the Records and Identification Bureau.

NOTE: Senate File 403 (FY 2007 Supplemental Appropriations Act) included an FY 2007 General Fund supplemental appropriation of \$466,500 for the DCI that includes \$246,500 for coverage at the

Burlington gaming facility starting in May 2007, and \$220,000 for consumable supplies for the DNA All-Felons Database.

The General Fund appropriation for the gaming enforcement officers will be reimbursed 100.00% by the gaming industry to the General Fund.

16 15 The department of public safety, with the approval of the
 16 16 department of management, may employ no more than two special
 16 17 agents and four gaming enforcement officers for each
 16 18 additional riverboat regulated after July 1, 2007, and one
 16 19 special agent for each racing facility which becomes
 16 20 operational during the fiscal year which begins July 1, 2007.
 16 21 One additional gaming enforcement officer, up to a total of
 16 22 four per riverboat, may be employed for each riverboat that
 16 23 has extended operations to 24 hours and has not previously
 16 24 operated with a 24-hour schedule. Positions authorized in
 16 25 this paragraph are in addition to the full-time equivalent
 16 26 positions otherwise authorized in this subsection.

Permits the Department of Public Safety to employ a maximum of two special agents and four gaming officers upon receiving approval from the Department of Management for new riverboats licensed after July 1, 2007, and for riverboats that have extended operations to 24 hours. Also, permits the employment of one special agent for each racing facility that becomes operational during FY 2008.

16 27 3. For the criminalistics laboratory fund created in
 16 28 section 691.9:
 16 29 \$ 342,000

General Fund appropriation for the Criminalistics Laboratory Fund.

DETAIL: Maintains current level of General Fund support.

16 30 4. a. For the division of narcotics enforcement,
 16 31 including the state's contribution to the peace officers'
 16 32 retirement, accident, and disability system provided in
 16 33 chapter 97A in the amount of 17 percent of the salaries for
 16 34 which the funds are appropriated, to meet federal fund
 16 35 matching requirements, and for not more than the following
 17 1 full-time equivalent positions:
 17 2 \$ 5,963,415
 17 3 FTEs 87.00

General Fund appropriation to the Department of Public Safety for the Division of Narcotics Enforcement (DNE).

DETAIL: This is an increase of \$412,691 and 3.00 FTE positions compared to the estimated net FY 2007 General Fund appropriation. The change includes:

- An increase of \$130,852 for increased overtime expenses.
- An increase of \$66,160 and 1.00 FTE position to transfer the Uniform Crime Report from the Administration Division.
- An increase of \$215,679 to replace expired Byrne-JAG federal funds for drug interdiction.

17 4 b. For the division of narcotics enforcement for
 17 5 undercover purchases:
 17 6 \$ 123,343

- An increase of 2.00 FTE positions for criminal intelligence analysts funded from reimbursement receipts from the Homeland Security and Emergency Management Division and Agriculture and Land Stewardship.

General Fund appropriation to the Department of Public Safety for undercover purchases.

DETAIL: Maintains current level of General Fund support.

17 7 5. a. For the division of state fire marshal, including
 17 8 the state's contribution to the peace officers' retirement,
 17 9 accident, and disability system provided in chapter 97A in the
 17 10 amount of 17 percent of the salaries for which the funds are
 17 11 appropriated, and for not more than the following full-time
 17 12 equivalent positions:
 17 13 \$ 3,157,454
 17 14 FTEs 47.00

General Fund appropriation to the Department of Public Safety for the State Fire Marshal's Office.

DETAIL: This is an increase of \$389,888 and 7.00 FTE positions compared to the estimated net FY 2007 General Fund appropriation. The change includes:

- An increase of \$289,888 and 5.00 FTE positions for the Building Code Bureau to fulfill the requirements of HF 2797 (FY 2007 Standing Appropriations Act) for the plan review and inspections of various public buildings.
- An increase of 1.00 FTE position to assist with the four licensing and certification programs in the Fire Marshal's Office. The cost of this position will be offset with receipts.
- An increase of \$100,000 and 1.00 FTE position for the inspection of modular homes.

NOTE: Senate File 403 (FY 2007 Supplemental Appropriations Act) included an FY 2007 General Fund supplemental appropriation of \$100,000 to implement State building code inspections beginning January 1, 2007, as specified in HF 2797 (FY 2007 Standing Appropriations Act). An equivalent amount of inspection fee revenue will be deposited into the General Fund.

17 15 b. For the division of state fire marshal, for fire
 17 16 protection services as provided through the state fire service
 17 17 and emergency response council as created in the department,
 17 18 and for not more than the following full-time equivalent
 17 19 positions:

General Fund appropriation to the State Fire Marshal's Office for Fire Protection Services.

DETAIL: This is an increase of \$100,000 and no change in FTE positions compared to the estimated net FY 2007 General Fund

PG LN	Senate File 575	Explanation
17 20 \$ 804,110	appropriation for mobile training equipment.
17 21	..... FTEs 10.00
17 22	6. For the division of state patrol, for salaries,	General Fund appropriation to the Department of Public Safety for the Iowa State Patrol.
17 23	support, maintenance, workers' compensation costs, and	
17 24	miscellaneous purposes, including the state's contribution to	DETAIL: This is an increase of \$2,019,132 and 3.00 FTE positions compared to the estimated net FY 2007 General Fund appropriation. The change includes:
17 25	the peace officers' retirement, accident, and disability	
17 26	system provided in chapter 97A in the amount of 17 percent of	
17 27	the salaries for which the funds are appropriated, and for not	
17 28	more than the following full-time equivalent positions:	
17 29	..... \$ 48,126,059
17 30 FTEs 533.00	<ul style="list-style-type: none"> • An increase of \$41,638 and 1.00 FTE position for an Electronics Technician in the State Patrol garage. • An increase of \$195,000 for fuel. • An increase of \$250,000 for vehicular equipment. • An increase of \$1,129,000 for personal equipment, uniforms, communications equipment, and the replacement of one aircraft in the Iowa State Patrol Air Wing. • An increase of \$253,494 and 2.00 FTE positions for a security detail for the Governor's children. • An increase of \$100,000 for one additional Trooper intended to fill one of the currently vacant, unfunded positions on the Table of Organization. • An increase of \$50,000 for rifles for approximately 34 Troopers.
17 31	It is the intent of the general assembly that members of	NOTE: Senate File 403 (FY 2007 Supplemental Appropriations Act) included an FY 2007 General Fund supplemental appropriation of \$150,000 for the State Patrol to cover overtime expenses while monitoring the Governor and his family at his personal residence, prior to moving into Terrace Hill, and for additional security for the Governor's children.
17 32	the state patrol be assigned to patrol the highways and roads	
17 33	in lieu of assignments for inspecting school buses for the	
17 34	school districts.	
17 35	7. For deposit in the sick leave benefits fund established	Specifies the intent of the General Assembly that the Iowa State Patrol assign education officers to perform school bus inspections rather than having road troopers perform these inspections.
18 1	under section 80.42, for all departmental employees eligible	
18 2	to receive benefits for accrued sick leave under the	
		General Fund appropriation to create a non-reversionary fund in the Department of Public Safety to be used for sick leave payout. All sworn officers of the Department are eligible to receive benefits for

PG LN	Senate File 575	Explanation
18 3	collective bargaining agreement:	accrued sick leave under the collective bargaining agreement.
18 4	..... \$ 316,179	DETAIL: Maintains current level of General Fund support.
18 5	8. For costs associated with the training and equipment	General Fund appropriation to the Department of Public Safety for
18 6	needs of volunteer fire fighters:	Volunteer Fire Fighter Training.
18 7	..... \$ 699,587	DETAIL: Maintains current level of General Fund support.
18 8	Notwithstanding section 8.33, moneys appropriated in this	CODE: Requires nonreversion of funds for fire fighter training and
18 9	subsection that remain unencumbered or unobligated at the	equipment needs.
18 10	close of the fiscal year shall not revert but shall remain	
18 11	available for expenditure only for the purpose designated in	
18 12	this subsection until the close of the succeeding fiscal year.	
18 13	Notwithstanding section 8.39, within the funds appropriated	CODE: Permits funds appropriated to the Department of Public Safety
18 14	in this section the department of public safety may reallocate	to be allocated as necessary to fulfill appropriation needs within the
18 15	funds as necessary to best fulfill the needs provided for in	Department. The Department is not allowed to reallocate an
18 16	the appropriation. However, the department shall not	appropriation unless notice is given to the LSA and the DOM prior to
18 17	reallocate an appropriation made to the department in this	the effective date of the reallocation. The Department is not allowed to
18 18	section unless notice of the reallocation is given to the	reallocate the appropriation for the purpose of eliminating a program.
18 19	legislative services agency and the department of management	
18 20	prior to the effective date of the reallocation. The notice	
18 21	shall include information about the rationale for reallocating	
18 22	the appropriation. The department shall not reallocate an	
18 23	appropriation made in this section for the purpose of	
18 24	eliminating any program.	
18 25	Sec. 15. CIVIL RIGHTS COMMISSION. There is appropriated	
18 26	from the general fund of the state to the Iowa state civil	
18 27	rights commission for the fiscal year beginning July 1, 2007,	
18 28	and ending June 30, 2008, the following amount, or so much	
18 29	thereof as is necessary, to be used for the purposes	
18 30	designated:	

PG LN	Senate File 575	Explanation
18 31	For salaries, support, maintenance, miscellaneous purposes,	General Fund appropriation to the Iowa Civil Rights Commission.
18 32	and for not more than the following full-time equivalent	
18 33	positions:	DETAIL: This is an increase of \$247,325 and no change in FTE
18 34	..... \$ 1,412,647	positions compared to the estimated net FY 2007 General Fund
18 35	..... FTEs 29.00	appropriation to replace federal funds.
19 1	The Iowa state civil rights commission may enter into a	Permits the Commission to enter into a contract with a non-profit
19 2	contract with a nonprofit organization to provide legal	organization for legal assistance.
19 3	assistance to resolve civil rights complaints.	
19 4	Sec. 16. HOMELAND SECURITY AND EMERGENCY MANAGEMENT	Appropriation from the E911 Wireless Fund to provide \$4,000 for each
19 5	DIVISION — E911. There is appropriated from the wireless	of the 124 Public Safety Answering Points (PSAPs) to be used for
19 6	E911 emergency communications fund in section 34A.7A to the	Phase 2 equipment purchases and upgrades.
19 7	homeland security and emergency management division of the	DETAIL: This is a new one-time appropriation for FY 2008.
19 8	department of public defense for the fiscal year beginning	
19 9	July 1, 2007, and ending June 30, 2008, the following amount,	NOTE: For the first calendar quarter for 2007, there was \$638,391 in
19 10	or so much thereof as is necessary, to be used for the	new carryover for future Phase 2 network and PSAP upgrades and
19 11	purposes designated:	improvements. The total funds available in the E911 Wireless
19 12	For distribution on an equal basis to each public safety	Carryover Fund is \$1,961,203, and \$1,221,000 is currently obligated
19 13	answering point for wireless E911 phase 2 upgrades and	for projects. The remaining unencumbered amount in the Carryover
19 14	equipment purchases:	Fund is \$740,203.
19 15	..... \$ 496,000	
19 16	Each joint E911 service board shall report to the E911	Requires Joint E911 Service Boards to report to the E911 Program
19 17	program manager, the wireless E911 phase 2 upgrade and	Manager on the expenditure of Wireless E911 Phase 2 Upgrade and
19 18	equipment expenditures for each public safety answering point	Equipment Expenditures for each PSAP by December 15, 2007. The
19 19	within the board's E911 service area by December 15, 2007.	E911 Program Manager is required to compile all the responses into
19 20	The E911 program manager shall compile the reports from each	one expenditure report for the Chairpersons and Ranking Members of
19 21	joint E911 service board into one expenditure report and	the Justice System Appropriations Subcommittee and the LSA by
19 22	provide the expenditure report to the co-chairpersons and	January 15, 2008.
19 23	ranking members of the joint appropriations subcommittee on	
19 24	the justice system and the legislative services agency by	
19 25	January 15, 2008.	
19 26	Sec. 17. HOMELAND SECURITY AND EMERGENCY MANAGEMENT	Permits continued funding from the Wireless E911 Emergency

19 27 DIVISION. There is appropriated from the wireless E911
 19 28 emergency communications fund created in section 34A.7A to the
 19 29 administrator of the homeland security and emergency
 19 30 management division of the department of public defense for
 19 31 the fiscal year beginning July 1, 2007, and ending June 30,
 19 32 2008, an amount not exceeding \$200,000 to be used for
 19 33 implementation, support, and maintenance of the functions of
 19 34 the administrator and program manager under chapter 34A and to
 19 35 employ the auditor of the state to perform an annual audit of
 20 1 the wireless E911 emergency communications fund.

Communications Fund for the E911 Program Manager in the Homeland Security and Emergency Management Division of the Department of Public Defense through FY 2008.

DETAIL: The Division receives up to \$200,000 and 2.00 FTE positions for the administration of the wireless E911 service and to employ the State Auditor to perform an annual audit on the Fund.

20 2 Sec. 18. IOWA LAW ENFORCEMENT ACADEMY — FEES.
 20 3 Notwithstanding section 80B.11B, the Iowa law enforcement
 20 4 academy may charge more than one-half the cost of providing
 20 5 the basic training course if a majority of the Iowa law
 20 6 enforcement academy council authorizes charging more than one-
 20 7 half of the cost of providing basic training. This section is
 20 8 repealed on June 30, 2008.

CODE: Allows the Iowa Law Enforcement Academy to charge more than half the cost to provide training if approved by the Law Enforcement Academy Council. This Section is repealed June 30, 2008.

DETAIL: The tuition for FY 2007 was 61.00% of the cost to attend or \$3,500 per person.

20 9 Sec. 19. STATE PATROL VEHICLES — DIGITAL CAMERA STUDY.
 20 10 The department of public safety shall study and make
 20 11 recommendations regarding the benefits as well as the
 20 12 disadvantages of converting the recording equipment in the
 20 13 state patrol enforcement motor vehicles to digital camera
 20 14 recording technology for use in such vehicles. The study
 20 15 shall include an estimate of the cost of converting to the
 20 16 technology, an assessment of issues related to data storage
 20 17 and the rules of evidence, implementation concerns, and if a
 20 18 conversion is recommended, a timeline for acquiring and
 20 19 deploying the digital camera recording technology in the motor
 20 20 vehicles of the state patrol. The department of public safety
 20 21 shall report the department's recommendations to the
 20 22 co-chairpersons and ranking members of the joint
 20 23 appropriations subcommittee on the justice system and the

Requires the DPS to study and make recommendations to the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee and the LSA by December 15, 2007, regarding the benefits and disadvantages of converting State Patrol vehicle recording equipment to digital camera recording technology.

20 24 legislative services agency by December 15, 2007.

[20 25 Sec. 20. STATE EMPLOYEE TELECOMMUTING — POLICY
20 26 DEVELOPMENT — IMPLEMENTATION.

VETOED

20 27 1. The director of a department or state agency to which
20 28 appropriations are made pursuant to the provisions of this Act
20 29 shall assess the extent to which job classifications or
20 30 individual employment positions with the department or agency
20 31 might be effectively performed from an employee's residence or
20 32 other remote location through telecommuting, thereby
20 33 increasing office space within the department or agency and
20 34 reducing administrative costs. The assessment shall include
20 35 an estimate of the number of department or agency employees
21 1 whose job responsibilities could be effectively performed on a
21 2 telecommuting basis, projected costs of establishing and
21 3 maintaining work stations at an employee's residence or other
21 4 remote location and providing telecommuter support,
21 5 anticipated savings to the department or agency through a
21 6 reduction in the office-based workforce, and anticipated time
21 7 and cost savings to telecommuting employees. A report
21 8 summarizing the assessment shall be submitted to the director
21 9 of the department of administrative services, and the members
21 10 of the general assembly, by November 1, 2007.

21 11 2. Based on the assessment conducted pursuant to
21 12 subsection 1, the director shall develop a telecommuter
21 13 employment policy for the department or agency and a timeline
21 14 for initial policy implementation and plans for expanding the
21 15 number of telecommuting employees. Specific office-based
21 16 workforce reduction percentages shall be left to the
21 17 discretion of the director, but the director shall implement a
21 18 policy transferring some number of office-based employees to
21 19 telecommuter status by January 1, 2008. The director shall
21 20 report to the director of the department of administrative
21 21 services and the members of the general assembly on an annual
21 22 basis beginning January 1, 2009, the number of telecommuting
21 23 employees, cost savings achieved by the department or agency,
21 24 and plans for continued transfer of office-based employees to

Requires the Directors of the departments and agencies that receive appropriations in this Bill to assess the feasibility and cost-effectiveness of implementing a telecommuting policy. The assessment is to include the number of employees that could be effectively transferred to telecommuter status, projected costs to maintain home work stations and telecommuter support, and anticipated savings to the department or agency and the telecommuting employees. A report summarizing the assessment is to be submitted to the Director of the Department of Administrative Services (DAS) by November 7, 2007. Based on the assessment, the Directors are required to develop a telecommuting policy, a timeline for implementation of the policy, and plans to expand the number of telecommuting employees. Directors are required to transfer some employees to telecommuter status by January 1, 2008. Requires an annual report, beginning January 1, 2009, to the Director of the DAS and the General Assembly that includes the number of telecommuting employees, cost savings achieved, and plans for continued transfer of employees to telecommuter status.

VETOED: The Governor vetoed this Section and stated that many State departments and agencies currently have a telecommuting policy and the language is duplicative and unnecessary.

21 25 telecommuter status.

21 26 Sec. 21. Section 34A.7A, subsection 2, paragraph f,
 21 27 subparagraph (2), unnumbered paragraph 1, Code 2007, is
 21 28 amended to read as follows:

21 29 Upon retirement of outstanding obligations referred to in
 21 30 paragraph "e", the amount allocated under this paragraph "f"
 21 31 shall be ~~twenty-four~~ twenty-five percent of the total amount
 21 32 of surcharge generated per calendar quarter allocated as
 21 33 follows:

CODE: Increases the percentage of the E911 Wireless Surcharge that is distributed to the 124 PSAPs from 24.0% to 25.0% for Phase 2 equipment purchases and technology upgrades.

NOTE: Based on the first calendar quarter report for 2007, this equates to approximately \$36,000 to be divided among the 124 PSAPs or \$144,000 for the year, depending on the amount of revenue received per calendar quarter.

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21 34 Sec. 22. NEW SECTION. 455B.112A ENVIRONMENTAL CRIMES
 21 35 INVESTIGATION AND PROSECUTION FUND.

22 1 1. An environmental crimes investigation and prosecution
 22 2 fund is created as a separate fund in the state treasury to be
 22 3 administered by the attorney general. Moneys credited to the
 22 4 fund shall include court-ordered fines and restitution awarded
 22 5 to the attorney general as part of a judgment in an
 22 6 environmental criminal case.

CODE: Establishes an Environmental Crimes Investigation and Prosecution Fund.

DETAIL: The Environmental Crimes Investigation and Prosecution

Fund was annually renewed in Session Law in the Justice System Appropriations Act. This Act codifies existing law.

22 7 2. For each fiscal year not more than twenty thousand
 22 8 dollars is appropriated from the fund to the department of
 22 9 justice to be used for the investigation and prosecution of
 22 10 environmental crimes, including the reimbursement of expenses
 22 11 incurred by county, municipal, and other local government
 22 12 agencies cooperating with the attorney general in the
 22 13 investigation and prosecution of environmental crimes.

CODE: Limits expenditures from the Environmental Crimes Investigation and Prosecution Fund to no more than \$20,000 annually.

DETAIL: This is no change compared to the estimated net FY 2007 appropriation.

22 14 3. Not more than twenty thousand dollars shall be credited
 22 15 to the fund in a fiscal year and any moneys in excess of this
 22 16 amount shall be credited to the general fund of the state.

CODE: Limits the amount credited to the Fund to no more than \$20,000 annually.

22 17 4. Notwithstanding section 8.33, moneys credited to the
 22 18 fund shall not revert to any other fund. Notwithstanding
 22 19 section 12C.7, interest or earnings deposited in the fund
 22 20 shall be credited to the fund.

DETAIL: This is no change compared to current law.

CODE: Requires nonreversion of funds. Credits interest and earnings to the Fund.

22 21 Sec. 23. NEW SECTION. 553.19 ANTITRUST FUND.

22 22 1. An antitrust fund is created as a separate fund in the
 22 23 state treasury to be administered by the attorney general.
 22 24 Moneys credited to the fund shall include amounts received as
 22 25 a result of a state or federal civil antitrust judgment or
 22 26 settlement which are based on damages sustained by the state,
 22 27 civil penalties, costs, or attorney fees, and amounts which
 22 28 are specifically directed to the credit of the fund by the
 22 29 judgment or settlement, and amounts which are designated by
 22 30 the judgment or settlement for use by the attorney general for
 22 31 antitrust enforcement or education. Amounts based upon
 22 32 damages sustained by individuals or entities outside of state
 22 33 government not designated for antitrust enforcement purposes
 22 34 or amounts based upon actual damages awarded to the state
 22 35 which would not otherwise be deposited in the general fund of
 23 1 the state shall not be credited to the fund.

CODE: Establishes an Anti-Trust Fund.

DETAIL: The Anti-Trust Fund was annually renewed in Session Law in the Justice System Appropriations Act. This Act codifies existing law.

23 2 2. For each fiscal year, not more than five hundred
 23 3 thousand dollars is appropriated from the fund to the
 23 4 department of justice to be used for enforcement of this
 23 5 chapter and chapter 551, and for enforcement of federal
 23 6 antitrust laws and for public education about state and
 23 7 federal antitrust laws.

CODE: Limits expenditures from the Anti-Trust Fund to no more than \$500,000 annually.

DETAIL: This is an increase of \$300,000 compared to the estimated net FY 2007 appropriation.

23 8 3. Notwithstanding section 8.33, moneys credited to the
 23 9 fund shall not revert to any other fund. Notwithstanding
 23 10 section 12C.7, interest or earnings on the moneys in the fund
 23 11 shall be credited to the fund.

CODE: Requires nonreversion of funds. Credits interest and earnings to the Fund.

23 12 Sec. 24. NEW SECTION. 714.16C CONSUMER EDUCATION AND
23 13 LITIGATION FUND.

23 14 1. A consumer education and litigation fund is created as
23 15 a separate fund in the state treasury to be administered by
23 16 the attorney general. Moneys credited to the fund shall
23 17 include amounts received as a result of a state or federal
23 18 civil consumer fraud judgment or settlement, civil penalties,
23 19 costs, or attorney fees, and amounts which are specifically
23 20 directed to the credit of the fund by the judgment or
23 21 settlement, and amounts which are designated by the judgment
23 22 or settlement for use by the attorney general for consumer
23 23 litigation or education purposes. Moneys designated for
23 24 consumer reimbursement shall not be credited to the fund,
23 25 except to the extent that such moneys are permitted to be used
23 26 for enforcement of section 714.16.

CODE: Establishes the Consumer Education and Litigation Fund.

DETAIL: The Consumer Education and Litigation Fund was annually renewed in Session Law in the Justice System Appropriations Act. This Act codifies existing law.

23 27 2. For each fiscal year, not more than one million one
23 28 hundred twenty-five thousand dollars is appropriated from the
23 29 fund to the department of justice to be used for public
23 30 education relating to consumer fraud and for enforcement of
23 31 section 714.16 and federal consumer laws, and not more than
23 32 seventy-five thousand dollars is appropriated from the fund to
23 33 the department of justice to be used for investigation,
23 34 prosecution, and consumer education relating to consumer and
23 35 criminal fraud committed against older Iowans.

CODE: Limits expenditures from the Consumer Education and Litigation Fund to no more than \$1,200,000 annually.

DETAIL: This is no change compared to the estimated net FY 2007 appropriation.

24 1 3. Notwithstanding section 8.33, moneys credited to the
24 2 fund shall not revert to any other fund. Notwithstanding
24 3 section 12C.7, interest or earnings on the moneys in the fund
24 4 shall be credited to the fund.

CODE: Requires nonreversion of funds. Credits interest and earnings to the Fund.

24 5 Sec. 25. Section 815.7, Code 2007, is amended to read as
24 6 follows:

CODE: Increases the FY 2008 hourly reimbursement rate for court-appointed counsel as follows:

24 7 815.7 FEES TO ATTORNEYS.

24 8 1. An attorney who has not entered into a contract
24 9 authorized under section 13B.4 and who is appointed by the

- Class A felony - from \$65 to \$70 per hour (increased by \$5 per hour in FY 2007).

24 10 court to represent any person pursuant to section 814.11 or
 24 11 815.10 shall be entitled to reasonable compensation and
 24 12 expenses.

24 13 2. For appointments made on or after July 1, 1999, through
 24 14 June 30, 2006, the reasonable compensation shall be calculated
 24 15 on the basis of sixty dollars per hour for class "A" felonies,
 24 16 fifty-five dollars per hour for class "B" felonies, and fifty
 24 17 dollars per hour for all other cases.

24 18 3. For appointments made on or after July 1, 2006, through
 24 19 June 30, 2007, the reasonable compensation shall be calculated
 24 20 on the basis of sixty-five dollars per hour for class "A"
 24 21 felonies, sixty dollars per hour for all other felonies, sixty
 24 22 dollars per hour for misdemeanors, and fifty-five dollars per
 24 23 hour for all other cases.

24 24 4. For appointments made on or after July 1, 2007, the
 24 25 reasonable compensation shall be calculated on the basis of
 24 26 seventy dollars per hour for class "A" felonies, sixty-five
 24 27 dollars per hour for class "B" felonies, and sixty dollars per
 24 28 hour for all other cases.

24 29 5. The expenses shall include any sums as are necessary
 24 30 for investigations in the interest of justice, and the cost of
 24 31 obtaining the transcript of the trial record and briefs if an
 24 32 appeal is filed. The attorney need not follow the case into
 24 33 another county or into the appellate court unless so directed
 24 34 by the court. If the attorney follows the case into another
 24 35 county or into the appellate court, the attorney shall be
 25 1 entitled to compensation as provided in this section. Only
 25 2 one attorney fee shall be so awarded in any one case except
 25 3 that in class "A" felony cases, two may be authorized.

- Class B felony - from \$60 to \$65 per hour (increased by \$5 per hour in FY 2007).
- Class C and D felonies remain at \$60 per hour. The rate was increased by \$10 per hour in FY 2007.
- Misdemeanors remain at \$60 per hour. The rate was increased by \$10 per hour in FY 2007.
- All other cases, such as juvenile proceedings - from \$55 to \$60 per hour (increased by \$5 per hour in FY 2007).

FISCAL IMPACT: The fiscal impact of increasing the reimbursement rate for Class A and B felonies and other cases by \$5 per hour is estimated to be \$900,000 in FY 2008 and an additional \$300,000 in FY 2009.

EXECUTIVE SUMMARY JUDICIAL BRANCH APPROPRIATIONS ACT

SENATE FILE 563

FUNDING SUMMARY

INTENT LANGUAGE AND REQUIRED REPORTS

SIGNIFICANT CHANGES TO THE CODE OF IOWA

- Appropriates a total of \$127.4 million from the General Fund to the Judicial Branch. The Judicial Branch has 1,985.5 FTE positions that are not limited in this Bill. This is an increase of \$2.1 million and an increase of 11.5 FTE positions compared to the estimated FY 2007 General Fund appropriations. The Bill also appropriates \$2.0 million from the Jury Witness Fee Revolving Fund to the Judicial Retirement Fund.
- Requires \$737,000 of the \$124.0 million appropriated to the Judicial Branch for operations to be used to implement the Children's Justice Initiative. (Page 1, Line 20)
- Prohibits the Judicial Branch from duplicating the State payroll system. (Page 1, Line 33)
- Requires the Judicial Branch to submit monthly financial statements to the Legislative Services Agency (LSA) and the Department of Management (DOM). (Page 2, Line 4)
- Requires the Judicial Branch to focus efforts on collecting delinquent fines and fees. (Page 2, Line 14)
- Specifies that the Offices of the Clerks of District Court operate in all 99 counties and be accessible to the public as much as reasonably possible. (Page 2, Line 17)
- Requires the Judicial Branch to continue studying the best practices and efficiencies of each judicial district and submit a report to the General Assembly by January 1, 2008. (Page 2, Line 22)
- Requires the Judicial Branch to notify the LSA prior to any interdepartmental transfer of funds. (Page 3, Line 6)
- Requires the Judicial Branch to provide a semi-annual report to the LSA specifying the amount of fines, surcharges, and court costs collected using the Iowa Court Information System (ICIS). (Page 3, Line 15)
- Requires the Judicial Branch to report to the General Assembly by January 1, 2008, regarding the revenues and expenditures for the Enhanced Court Collections Fund and the Court Technology and Modernization Fund. The report must include revenues and expenditures for FY 2007 and planned expenditures for FY 2008. (Page 3, Line 23)
- Adds a District Associate Judge in the 4th Judicial District and in Judicial Election District 5B. (Page 1, Line 20)
- Reduces the State's contribution to the Judicial Retirement Fund. (Page 3, Line 34)
- Increases juror pay from \$10 to \$30 per day. (Page 4, Line 30)
 - FISCAL IMPACT:** Increasing juror pay from \$10 to \$30 per day is estimated to increase expenditures from the Jury Witness Fee Revolving Fund by \$2.0 million annually.
- Requires all jurors to receive mileage reimbursement for each mile traveled to and from the residence to the place of service or attendance. (Page 5, Line 4)
- Permits a juror to waive the right to compensation or reimbursement for service or attendance. (Page 5, Line 18)

EXECUTIVE SUMMARY
JUDICIAL BRANCH APPROPRIATIONS ACT

SENATE FILE 563

JURY WITNESS FEE REVOLVING
FUND

- Appropriates \$2.0 million from the Jury Witness Fee Revolving Fund to the Judicial Retirement Fund.
(Page 4, Line 9)

ENACTMENT DATE

- This Act was approved by the General Assembly on April 17, 2007, and signed by the Governor on May 24, 2007.

Staff Contact: Jennifer Acton (Ext. 1-7846)

1 1 Section 1. JUDICIAL BRANCH.

1 2 1. There is appropriated from the general fund of the
 1 3 state to the judicial branch for the fiscal year beginning
 1 4 July 1, 2007, and ending June 30, 2008, the following amount,
 1 5 or so much thereof as is necessary, to be used for the
 1 6 purposes designated:
 1 7 For salaries of supreme court justices, appellate court
 1 8 judges, district court judges, district associate judges,
 1 9 judicial magistrates and staff, state court administrator,
 1 10 clerk of the supreme court, district court administrators,
 1 11 clerks of the district court, juvenile court officers, board
 1 12 of law examiners and board of examiners of shorthand reporters
 1 13 and judicial qualifications commission, receipt and
 1 14 disbursement of child support payments, reimbursement of the
 1 15 auditor of state for expenses incurred in completing audits of
 1 16 the offices of the clerks of the district court during the
 1 17 fiscal year beginning July 1, 2007, and maintenance,
 1 18 equipment, and miscellaneous purposes:
 1 19 \$123,974,074

General Fund appropriation to the Judicial Branch for operations.

DETAIL: This is an increase of \$736,664 and 11.50 FTE positions compared to estimated FY 2007 General Fund appropriation for the children's justice initiative. The increase includes:

- \$233,539 and 2.75 FTE positions for a District Associate Judge, Court Attendant, and Court Reporter for Judicial Election District 5B.
- \$233,539 and 2.75 FTE positions for a District Associate Judge, Court Attendant, and Court Reporter for District 4.
- \$89,862 and 2.00 FTE positions for two Juvenile Court Technicians for District 5.
- \$134,793 and 3.00 FTE positions for three Juvenile Court Officers for District 5.
- \$44,931 and 1.00 FTE position for a Juvenile Court Officer for District 6.

NOTE: The 6th Judicial District consists of the following counties: Tama, Benton, Iowa, Linn, Johnson, and Jones. The 4th Judicial District consists of the following counties: Harrison, Shelby, Audubon, Pottawattamie, Cass, Mills, Montgomery, Fremont, and Page. The 5B Judicial Election District consists of the following counties: Adair, Adams, Union, Clarke, Lucas, Taylor, Ringgold, Decatur, and Wayne. The 5th Judicial District consists of the following counties: Guthrie, Dallas, Polk, Jasper, Adair, Madison, Warren, Marion, Adams, Union, Clarke, Lucas, Taylor, Ringgold, Decatur, and Wayne.

Senate File 601 (FY 2008 Standing Appropriations Act) repealed the Judicial Branch off-the-top receipts that were established in HF 2789 (Judicial Branch Fees and Costs Act) and HF 826 (Speed Limit Act), which increases the Judicial Branch operating budget by an additional \$14,000,000. In addition, the General Assembly appropriated an additional \$200,000 in one-time money for HF 641 (Court Procedures and Fees Act). The Judicial Branch also received \$6,771,248 in salary adjustment in SF 601. The total amount of General Fund money in FY 2008, including salary adjustment, for Judicial Branch operations is \$144,945,322.

1 20 Of the amount appropriated in this subsection, \$736,664
 1 21 shall be used to implement the children's justice initiative.
 1 22 The following additional court employees are authorized for
 1 23 implementation of the children's justice initiative: two
 1 24 court reporters, one and one-half full-time equivalent court
 1 25 attendants, four juvenile court officers, and two juvenile
 1 26 court technicians. Notwithstanding the district associate
 1 27 judgeship apportionment formula in section 602.6301, two
 1 28 additional district associate judgeships are authorized for
 1 29 implementation of the initiative, with one district associate
 1 30 judgeship allocated to the fourth judicial district and one
 1 31 district associate judgeship allocated to election district 5B
 1 32 of the fifth judicial district.

Requires \$736,664 of the \$123,974,074 appropriated to the Judicial Branch for operations to be used to implement the Children's Justice Initiative by adding the following FTE positions:

- 2.00 Court Reporters
- 1.50 Court Attendants
- 4.00 Juvenile Court Officers
- 2.00 Juvenile Court Technicians

CODE: Adds a District Associate Judge in the 4th Judicial District and a District Associate Judge in Judicial Election District 5B.

1 33 2. The judicial branch, except for purposes of internal
 1 34 processing, shall use the current state budget system, the
 1 35 state payroll system, and the Iowa finance and accounting
 2 1 system in administration of programs and payments for
 2 2 services, and shall not duplicate the state payroll,
 2 3 accounting, and budgeting systems.

Prohibits the Judicial Branch from duplicating current State payroll, budgeting, and accounting systems, except for the implementation of an internal accounting and record keeping system.

2 4 3. The judicial branch shall submit monthly financial
 2 5 statements to the legislative services agency and the
 2 6 department of management containing all appropriated accounts
 2 7 in the same manner as provided in the monthly financial status
 2 8 reports and personal services usage reports of the department
 2 9 of administrative services. The monthly financial statements
 2 10 shall include a comparison of the dollars and percentage spent
 2 11 of budgeted versus actual revenues and expenditures on a
 2 12 cumulative basis for full-time equivalent positions and
 2 13 dollars.

Requires the Judicial Branch to submit monthly financial statements on all appropriated accounts to the Fiscal Services Division of the Legislative Services Agency (LSA) and the Department of Management (DOM). Specifies what is to be included in the financial statements.

2 14 4. The judicial branch shall focus efforts upon the
 2 15 collection of delinquent fines, penalties, court costs, fees,
 2 16 surcharges, or similar amounts.

Requires the Judicial Branch to focus efforts on collecting delinquent fines and fees.

2 17 5. It is the intent of the general assembly that the
2 18 offices of the clerks of the district court operate in all 99
2 19 counties and be accessible to the public as much as is
2 20 reasonably possible in order to address the relative needs of
2 21 the citizens of each county.

Specifies that it is the intent of the General Assembly that the Judicial Branch operate Clerk of Court offices in all 99 counties and ensure the offices are accessible to the public as much as reasonably possible.

2 22 6. The judicial branch shall continue studying the best
2 23 practices and efficiencies of each judicial district. In
2 24 identifying the most efficient judicial districts and the
2 25 districts using best practices, the judicial branch shall
2 26 consider the average cost to the judicial branch for
2 27 processing each classification of criminal offense or civil
2 28 action and the overall number of cases filed. In addition,
2 29 and as part of the best practices and efficiencies study, the
2 30 judicial branch shall study the number of judicial officers
2 31 needed throughout the state to manage current caseloads and
2 32 anticipated caseloads in the future, and shall make
2 33 recommendations, if any, as to changes in judgeship and
2 34 magistrate apportionment formulas in sections 602.6201,
2 35 602.6301, and 602.6401. The judicial branch shall file a
3 1 report regarding the study made, recommendations presented,
3 2 and actions taken pursuant to this subsection with the
3 3 co-chairpersons and ranking members of the joint
3 4 appropriations subcommittee on the justice system and to the
3 5 legislative services agency by January 1, 2008.

Requires the Judicial Branch to continue studying the best practices and efficiencies of each judicial district including the average cost for processing each classification of criminal offense or civil action and the number of judicial officers needed throughout the State to manage current caseloads. A report is required to be submitted to the General Assembly and the LSA by January 1, 2008.

3 6 7. In addition to the requirements for transfers under
3 7 section 8.39, the judicial branch shall not change the
3 8 appropriations from the amounts appropriated to the judicial
3 9 branch in this Act, unless notice of the revisions is given
3 10 prior to their effective date to the legislative services
3 11 agency. The notice shall include information on the branch's
3 12 rationale for making the changes and details concerning the
3 13 workload and performance measures upon which the changes are
3 14 based.

Requires the Judicial Branch to notify the LSA prior to any intradepartmental transfer of funds. Specifies the contents of the notice.

3 15 8. The judicial branch shall submit a semiannual update to
 3 16 the legislative services agency specifying the amounts of
 3 17 fines, surcharges, and court costs collected using the Iowa
 3 18 court information system since the last report. The judicial
 3 19 branch shall continue to facilitate the sharing of vital
 3 20 sentencing and other information with other state departments
 3 21 and governmental agencies involved in the criminal justice
 3 22 system through the Iowa court information system.

Requires the Judicial Branch to provide a semi-annual report to the LSA, specifying the amount of fines, surcharges, and court costs collected using the Iowa Court Information System (ICIS). Requires the Judicial Branch to continue to share vital sentencing and other information with departments and government agencies involved with the criminal justice system through the Iowa Court Information System.

3 23 9. The judicial branch shall provide a report to the
 3 24 general assembly by January 1, 2008, concerning the amounts
 3 25 received and expended from the enhanced court collections fund
 3 26 created in section 602.1304 and the court technology and
 3 27 modernization fund created in section 602.8108, subsection 7,
 3 28 during the fiscal year beginning July 1, 2006, and ending June
 3 29 30, 2007, and the plans for expenditures from each fund during
 3 30 the fiscal year beginning July 1, 2007, and ending June 30,
 3 31 2008. A copy of the report shall be provided to the
 3 32 legislative services agency.

Requires the Judicial Branch to report to the General Assembly by January 1, 2008, concerning the revenues and expenditures of the Enhanced Court Collections Fund and the Court Technology and Modernization Fund for FY 2007 and planned expenditures for FY 2008. The Judicial Branch is required to provide a copy of this report to the LSA.

3 33 Sec. 2. JUDICIAL RETIREMENT FUND.

3 34 1. There is appropriated from the general fund of the
 3 35 state to the judicial retirement fund for the fiscal year
 4 1 beginning July 1, 2007, and ending June 30, 2008, the
 4 2 following amount, or so much thereof as is necessary, to be
 4 3 used for the purpose designated:
 4 4 Notwithstanding section 602.9104, for the state's
 4 5 contribution to the judicial retirement fund in the amount of
 4 6 22.5 percent of the basic salaries of the judges covered under
 4 7 chapter 602, article 9:
 4 8 \$ 3,450,963

General Fund appropriation to the Judicial Branch for the Judicial Retirement Fund.

DETAIL: This is an increase of \$1,411,299 compared to the estimated FY 2007 General Fund appropriation.

In addition to the General Fund appropriation, \$2,000,000 in one-time carry forward money from the Jury Witness Fee Revolving Fund is being directed to the Judicial Retirement Fund in this Act.

CODE: This level of funding effectively reduces the State's statutorily required contribution to the Judicial Retirement Fund from 23.70% to 22.50% of the base salaries of judges for a total State contribution of \$5,450,963. Based on HF 729 (Public Pension Omnibus Act), the Judges' required contribution is reduced from 6.00% to 5.70% for a

total employee contribution of \$1,379,954. This is an increase of 167.25% compared to estimated FY 2007 for both the employer's and the employee's share of judicial retirement.

Jury Witness Fee Revolving Fund appropriation to the Judicial Branch.

DETAIL: This is a one-time appropriation of carry forward funds. In addition to the \$3,450,963 from the General Fund, this appropriation increases the employer's contribution amount to \$5,450,963.

Until the 2003 Legislative Session, legislative intent language required that not more than \$1,897,728 of the funds appropriated to the Judicial Branch for operations be transferred into the Jury Witness Fee Revolving Fund for the payment of jury and witness fees and mileage.

4 9 2. There is appropriated from the revolving fund
4 10 created in section 602.1302 to the judicial retirement
4 11 fund for the fiscal year beginning July 1, 2007, and
4 12 ending June 30, 2008, the following amount, or so much
4 13 thereof as is necessary, to be used for the purposes
4 14 designated:

4 15 As part of the state's contribution to the judicial
4 16 retirement fund in accordance with the conditions
4 17 specified in subsection 1:

4 18 \$ 2,000,000

4 19 Sec. 3. POSTING OF REPORTS IN ELECTRONIC FORMAT —
4 20 LEGISLATIVE SERVICES AGENCY. All reports or copies of reports
4 21 required to be provided by the judicial branch for fiscal year
4 22 2007–2008 to the legislative services agency shall be provided
4 23 in an electronic format. The legislative services agency
4 24 shall post the reports on its internet website and shall
4 25 notify by electronic means all the members of the joint
4 26 appropriations subcommittee on the justice system when a
4 27 report is posted. Upon request, copies of the reports may be
4 28 mailed to members of the joint appropriations subcommittee on
4 29 the justice system.

Requires the Judicial Branch to provide the LSA with reports in electronic format so that the reports can be placed on the LSA web site. The LSA is to notify members of the Justice System Appropriations Subcommittee when reports have been received and published.

4 30 Sec. 4. Section 607A.8, Code 2007, is amended by striking
4 31 the section and inserting in lieu thereof the following:

4 32 607A.8 FEES AND EXPENSES FOR JURORS.

4 33 1. A grand juror and a petit juror in all courts shall
4 34 receive thirty dollars as compensation for each day's service
4 35 or attendance, including attendance required for the purpose
5 1 of being considered for service. The supreme court may adopt
5 2 rules that allow additional compensation for jurors whose
5 3 attendance and service exceeds seven days.

CODE: Increases juror pay from \$10 per day to \$30 per day.

FISCAL IMPACT: This is an increase in expenditures from the Jury Witness Fee Revolving Fund of approximately \$2,000,000.

5 4 2. A grand juror and a petit juror in all courts shall
5 5 receive reimbursement for mileage expenses at the rate
5 6 specified in section 602.1509 for each mile traveled each day
5 7 to and from the residence of the juror to the place of service
5 8 or attendance, and shall receive reimbursement for actual
5 9 expenses of parking, as determined by the clerk of the
5 10 district court. A juror who is a person with a disability may
5 11 receive reimbursement for the costs of alternate
5 12 transportation from the residence of the juror to the place of
5 13 service or attendance. A juror shall not receive
5 14 reimbursement for mileage expenses or actual expenses of
5 15 parking when the juror travels in a vehicle for which another
5 16 juror is receiving reimbursement for mileage and parking
5 17 expenses.

CODE: Requires all jurors to receive mileage reimbursement for each mile traveled to and from the residence to the place of service or attendance.

DETAIL: The Judicial Branch's mileage reimbursement rate is \$0.35 per mile.

5 18 3. A grand juror or a petit juror in all courts may waive
5 19 the right of the juror to receive compensation under
5 20 subsection 1 or reimbursement under subsection 2.

CODE: Permits a juror to waive the right to receive compensation or reimbursement for service or attendance.

5 21 Sec. 5. NEW SECTION. 607A.47 JUROR QUESTIONNAIRE.
5 22 The court may, on its own motion, or upon the motion of a
5 23 party to the case or upon the request of a juror, order the
5 24 sealing or partial sealing of a completed juror questionnaire,
5 25 if the court finds that it is necessary to protect the safety
5 26 or privacy of a juror or a family member of a juror.

CODE: Permits the Judicial Branch to order the sealing or partial sealing of a juror questionnaire, if the Court finds it necessary to protect the safety or privacy of a juror or their family.

5 27 SF 563
5 28 jm:jp/cc/26

APPENDIX J

Bill Shells:

Justice System

Judicial Branch

LIBRARY 8 (Trina)

10 MARGINS F

20

SENATE/HOUSE FILE _____

30

BY (PROPOSED JOINT APPROPRIATIONS

40

SUBCOMMITTEE ON JUSTICE

50

SYSTEM BILL)

60

70

80 Passed Senate, Date _____ Passed House, Date _____

90 Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

100 Approved _____

110

120

A BILL FOR

130

140 MARGINS L

150 An Act relating to and making appropriations to the justice
160 system.

170 MARGINS F

180 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

190 MARGINS F F

200 TLSB 5007JA 82

210 jm/mg/8

LIBRARY 8 (Trina)

10 MARGINS L

20 Section 1. DEPARTMENT OF JUSTICE.

30 1. There is appropriated from the general fund of the
40 state to the department of justice for the fiscal year
50 beginning July 1, 2008, and ending June 30, 2009, the
60 following amounts, or so much thereof as is necessary, to be
70 used for the purposes designated:

80 a. For the general office of attorney general for
90 salaries, support, maintenance, and miscellaneous purposes,
100 including the prosecuting attorneys training program, victim
110 assistance grants, office of drug control policy (ODCP)
120 prosecuting attorney program, and odometer fraud enforcement,
130 and for not more than the following full-time equivalent
140 positions:

150 MARGINS F

160 \$

170 FTEs

180 MARGINS L

190 It is the intent of the general assembly that as a
200 condition of receiving the appropriation provided in this
210 lettered paragraph, the department of justice shall maintain a
220 record of the estimated time incurred representing each agency
230 or department.

240 b. For victim assistance grants:

250 MARGINS F

260 \$

270 MARGINS L

280 The funds appropriated in this lettered paragraph shall be
290 used to provide grants to care providers providing services to
300 crime victims of domestic abuse or to crime victims of rape
310 and sexual assault.

320 The balance of the victim compensation fund established in
330 section 915.94 may be used to provide salary and support of
340 not more than _____ FTEs and to provide maintenance for the
350 victim compensation functions of the department of justice.

LIBRARY 8 (Trina)

360 As a condition of receiving the appropriation in this
370 lettered paragraph, the department of justice shall transfer
380 at least \$_____ from the victim compensation fund
390 established in section 915.94 to the victim assistance grant
400 program.

410 c. For legal services for persons in poverty grants as
420 provided in section 13.34:

430 MARGINS F

440 \$

450 MARGINS L

460 d. For the purpose of funding farm mediation services and
470 other farm assistance program provisions in accordance with
480 sections 13.13 through 13.24:

490 MARGINS F

500 \$

510 MARGINS L

520 2. a. The department of justice, in submitting budget
530 estimates for the fiscal year commencing July 1, 2009,
540 pursuant to section 8.23, shall include a report of funding
550 from sources other than amounts appropriated directly from the
560 general fund of the state to the department of justice or to
570 the office of consumer advocate. These funding sources shall
580 include but are not limited to reimbursements from other state
590 agencies, commissions, boards, or similar entities, and
600 reimbursements from special funds or internal accounts within
610 the department of justice. The department of justice shall
620 also report actual reimbursements for the fiscal year
630 commencing July 1, 2007, and actual and expected
640 reimbursements for the fiscal year commencing July 1, 2008.

650 b. The department of justice shall include the report
660 required under paragraph "a", as well as information regarding
670 any revisions occurring as a result of reimbursements actually
680 received or expected at a later date, in a report to the co=
690 chairpersons and ranking members of the joint appropriations
700 subcommittee on the justice system and the legislative

LIBRARY 8 (Trina)

710 services agency. The department of justice shall submit the
720 report on or before January 15, 2009.

730 Sec. 2. OFFICE OF CONSUMER ADVOCATE. There is
740 appropriated from the general fund of the state to the office
750 of consumer advocate of the department of justice for the
760 fiscal year beginning July 1, 2008, and ending June 30, 2009,
770 the following amount, or so much thereof as is necessary, to
780 be used for the purposes designated:

790 For salaries, support, maintenance, miscellaneous purposes,
800 and for not more than the following full-time equivalent
810 positions:

820 MARGINS F

830 \$

840 FTEs

850 MARGINS L

860 Sec. 3. DEPARTMENT OF CORRECTIONS == FACILITIES.

870 1. There is appropriated from the general fund of the
880 state to the department of corrections for the fiscal year
890 beginning July 1, 2008, and ending June 30, 2009, the
900 following amounts, or so much thereof as is necessary, to be
910 used for the purposes designated:

920 For the operation of adult correctional institutions,
930 reimbursement of counties for certain confinement costs, and
940 federal prison reimbursement, to be allocated as follows:

950 a. For the operation of the Fort Madison correctional
960 facility, including salaries, support, maintenance, and
970 miscellaneous purposes:

980 MARGINS F

990 \$

1000 MARGINS L

1010 b. For the operation of the Anamosa correctional facility,
1020 including salaries, support, maintenance, and miscellaneous
1030 purposes:

1040 MARGINS F

1050 \$

LIBRARY 8 (Trina)

1060 MARGINS L

1070 Moneys are provided within this appropriation for one full=
1080 time substance abuse counselor for the Luster Heights facility
1090 for the purpose of certification of a substance abuse program
1100 at that facility.

1110 c. For the operation of the Oakdale correctional facility,
1120 including salaries, support, maintenance, and miscellaneous
1130 purposes:

1140 MARGINS F

1150 \$

1160 MARGINS L

1170 d. For the operation of the Newton correctional facility,
1180 including salaries, support, maintenance, and miscellaneous
1190 purposes:

1200 MARGINS F

1210 \$

1220 MARGINS L

1230 e. For the operation of the Mt. Pleasant correctional
1240 facility, including salaries, support, maintenance, and
1250 miscellaneous purposes:

1260 MARGINS F

1270 \$

1280 MARGINS L

1290 f. For the operation of the Rockwell City correctional
1300 facility, including salaries, support, maintenance, and
1310 miscellaneous purposes:

1320 MARGINS F

1330 \$

1340 MARGINS L

1350 g. For the operation of the Clarinda correctional
1360 facility, including salaries, support, maintenance, and
1370 miscellaneous purposes:

1380 MARGINS F

1390 \$

1400 MARGINS L

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1410 Moneys received by the department of corrections as
1420 reimbursement for services provided to the Clarinda youth
1430 corporation are appropriated to the department and shall be
1440 used for the purpose of operating the Clarinda correctional
1450 facility.

1460 h. For the operation of the Mitchellville correctional
1470 facility, including salaries, support, maintenance, and
1480 miscellaneous purposes:

1490 MARGINS F
1500 \$
1510 MARGINS L

1520 i. For the operation of the Fort Dodge correctional
1530 facility, including salaries, support, maintenance, and
1540 miscellaneous purposes:

1550 MARGINS F
1560 \$
1570 MARGINS L

1580 j. For reimbursement of counties for temporary confinement
1590 of work release and parole violators, as provided in sections
1600 901.7, 904.908, and 906.17, and for offenders confined
1610 pursuant to section 904.513:

1620 MARGINS F
1630 \$
1640 MARGINS L

1650 k. For federal prison reimbursement, reimbursements for
1660 out-of-state placements, and miscellaneous contracts:

1670 MARGINS F
1680 \$
1690 MARGINS L

1700 2. The department of corrections shall use funds
1710 appropriated in subsection 1 to continue to contract for the
1720 services of a Muslim imam.

1730 Sec. 4. DEPARTMENT OF CORRECTIONS == ADMINISTRATION.

1740 1. There is appropriated from the general fund of the
1750 state to the department of corrections for the fiscal year

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1760 beginning July 1, 2008, and ending June 30, 2009, the
1770 following amounts, or so much thereof as is necessary, to be
1780 used for the purposes designated:

1790 a. For general administration, including salaries,
1800 support, maintenance, employment of an education director to
1810 administer a centralized education program for the
1820 correctional system, and miscellaneous purposes:

1830 MARGINS F

1840 \$

1850 MARGINS L

1860 (1) It is the intent of the general assembly that as a
1870 condition of receiving the appropriation provided in this
1880 lettered paragraph the department of corrections shall not,
1890 except as otherwise provided in subparagraph (3), enter into a
1900 new contract, unless the contract is a renewal of an existing
1910 contract, for the expenditure of moneys in excess of \$ _____
1920 during the fiscal year beginning July 1, 2008, for the
1930 privatization of services performed by the department using
1940 state employees as of July 1, 2008, or for the privatization
1950 of new services by the department without prior consultation
1960 with any applicable state employee organization affected by
1970 the proposed new contract and prior notification of the co=
1980 chairpersons and ranking members of the joint appropriations
1990 subcommittee on the justice system.

2000 (2) It is the intent of the general assembly that each
2010 lease negotiated by the department of corrections with a
2020 private corporation for the purpose of providing private
2030 industry employment of inmates in a correctional institution
2040 shall prohibit the private corporation from utilizing inmate
2050 labor for partisan political purposes for any person seeking
2060 election to public office in this state and that a violation
2070 of this requirement shall result in a termination of the lease
2080 agreement.

2090 (3) It is the intent of the general assembly that as a
2100 condition of receiving the appropriation provided in this

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2110 lettered paragraph the department of corrections shall not
2120 enter into a lease or contractual agreement pursuant to
2130 section 904.809 with a private corporation for the use of
2140 building space for the purpose of providing inmate employment
2150 without providing that the terms of the lease or contract
2160 establish safeguards to restrict, to the greatest extent
2170 feasible, access by inmates working for the private
2180 corporation to personal identifying information of citizens.

2190 b. For educational programs for inmates at state penal
2200 institutions:

2210 MARGINS F

2220 \$

2230 MARGINS L

2240 It is the intent of the general assembly that moneys
2250 appropriated in this lettered paragraph shall be used solely
2260 for the purpose indicated and that the moneys shall not be
2270 transferred for any other purpose. In addition, it is the
2280 intent of the general assembly that the department shall
2290 consult with the community colleges in the areas in which the
2300 institutions are located to utilize moneys appropriated in
2310 this lettered paragraph to fund the high school completion,
2320 high school equivalency diploma, adult literacy, and adult
2330 basic education programs in a manner so as to maintain these
2340 programs at the institutions.

2350 To maximize the funding for educational programs, the
2360 department shall establish guidelines and procedures to
2370 prioritize the availability of educational and vocational
2380 training for inmates based upon the goal of facilitating an
2390 inmate's successful release from the correctional institution.

2400 The director of the department of corrections may transfer
2410 moneys from Iowa prison industries for use in educational
2420 programs for inmates.

2430 Notwithstanding section 8.33, moneys appropriated in this
2440 lettered paragraph that remain unobligated or unexpended at
2450 the close of the fiscal year shall not revert but shall remain

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2460 available for expenditure only for the purpose designated in
2470 this lettered paragraph until the close of the succeeding
2480 fiscal year.

2490 c. For the development of the Iowa corrections offender
2500 network (ICON) data system:

2510 MARGINS F

2520 \$

2530 MARGINS L

2540 d. For offender mental health and substance abuse
2550 treatment:

2560 MARGINS F

2570 \$

2580 MARGINS L

2590 e. For viral hepatitis prevention and treatment:

2600 MARGINS F

2610 \$

2620 MARGINS L

2630 2. It is the intent of the general assembly that the
2640 department of corrections shall continue to operate the
2650 correctional farms under the control of the department at the
2660 same or greater level of participation and involvement as
2670 existed as of January 1, 2008; shall not enter into any rental
2680 agreement or contract concerning any farmland under the
2690 control of the department that is not subject to a rental
2700 agreement or contract as of January 1, 2008, without prior
2710 legislative approval; and shall further attempt to provide job
2720 opportunities at the farms for inmates. The department shall
2730 attempt to provide job opportunities at the farms for inmates
2740 by encouraging labor-intensive farming or gardening where
2750 appropriate; using inmates to grow produce and meat for
2760 institutional consumption; researching the possibility of
2770 instituting food canning and cook-and-chill operations; and
2780 exploring opportunities for organic farming and gardening,
2790 livestock ventures, horticulture, and specialized crops.

2800 3. The department of corrections shall submit a report to

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2810 the general assembly by January 1, 2009, concerning moneys
2820 recouped from inmate earnings for the reimbursement of
2830 operational expenses of the applicable facility during the
2840 fiscal year beginning July 1, 2007, for each correctional
2850 institution and judicial district department of correctional
2860 services. In addition, each correctional institution and
2870 judicial district department of correctional services shall
2880 continue to submit a report to the legislative services agency
2890 on a monthly basis concerning moneys recouped from inmate
2900 earnings pursuant to sections 904.702, 904.809, and 905.14.

2910 4. It is the intent of the general assembly that as a
2920 condition of receiving the appropriation provided in
2930 subsection 1, the department shall not enter into any
2940 agreement with a private sector, nongovernmental entity for
2950 the purpose of housing inmates committed to the custody of the
2960 director of the department without express authorization of
2970 the general assembly to do so.

2980 Sec. 5. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL
2990 SERVICES.

3000 1. There is appropriated from the general fund of the
3010 state to the department of corrections for the fiscal year
3020 beginning July 1, 2008, and ending June 30, 2009, for the
3030 treatment and supervision of probation and parole violators
3040 who have been released from the department of corrections
3050 violator program, the following amounts, or so much thereof as
3060 is necessary, to be allocated as follows:

3070 a. For the first judicial district department of
3080 correctional services:

3090 MARGINS F

3100 \$

3110 MARGINS L

3120 b. For the second judicial district department of
3130 correctional services:

3140 MARGINS F

3150 \$

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3160 MARGINS L

3170 c. For the third judicial district department of

3180 correctional services:

3190 MARGINS F

3200 \$

3210 MARGINS L

3220 d. For the fourth judicial district department of

3230 correctional services:

3240 MARGINS F

3250 \$

3260 MARGINS L

3270 e. For the fifth judicial district department of

3280 correctional services, including funding for electronic

3290 monitoring devices for use on a statewide basis:

3300 MARGINS F

3310 \$

3320 MARGINS L

3330 f. For the sixth judicial district department of

3340 correctional services:

3350 MARGINS F

3360 \$

3370 MARGINS L

3380 The sixth judicial district department of correctional

3390 services shall maintain a youth leadership model program to

3400 help at-risk youth. As a part of the program, the district

3410 department may recruit college or high school students in the

3420 judicial district to work with at-risk youth. The student

3430 workers shall be recruited regardless of gender and be

3440 recommended by their respective schools as good role models,

3450 including but not limited to students who possess capabilities

3460 in one or more of the following areas of ability:

3470 intellectual capacity, athletics, visual arts, or performing

3480 arts.

3490 g. For the seventh judicial district department of

3500 correctional services:

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3510 MARGINS F

3520 \$

3530 MARGINS L

3540 h. For the eighth judicial district department of
3550 correctional services:

3560 MARGINS F

3570 \$

3580 MARGINS L

3590 2. Each judicial district department of correctional
3600 services, within the funding available, shall continue
3610 programs and plans established within that district to provide
3620 for intensive supervision, sex offender treatment, diversion
3630 of low-risk offenders to the least restrictive sanction
3640 available, job development, and expanded use of intermediate
3650 criminal sanctions.

3660 3. Each judicial district department of correctional
3670 services shall provide alternatives to prison consistent with
3680 chapter 901B. The alternatives to prison shall ensure public
3690 safety while providing maximum rehabilitation to the offender.
3700 A judicial district department of correctional services may
3710 also establish a day program.

3720 4. The governor's office of drug control policy shall
3730 consider federal grants made to the department of corrections
3740 for the benefit of each of the eight judicial district
3750 departments of correctional services as local government
3760 grants, as defined pursuant to federal regulations.

3770 5. The department of corrections shall continue to
3780 contract with a judicial district department of correctional
3790 services to provide for the rental of electronic monitoring
3800 equipment which shall be available statewide.

3810 Sec. 6. DEPARTMENT OF CORRECTIONS == REALLOCATION OF
3820 APPROPRIATIONS. Notwithstanding section 8.39, within the
3830 funds appropriated in this Act to the department of
3840 corrections, the department may reallocate the funds
3850 appropriated and allocated as necessary to best fulfill the

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3860 needs of the correctional institutions, administration of the
3870 department, and the judicial district departments of
3880 correctional services. However, in addition to complying with
3890 the requirements of sections 904.116 and 905.8 and providing
3900 notice to the legislative services agency, the department of
3910 corrections shall also provide notice to the department of
3920 management, prior to the effective date of the revision or
3930 reallocation of an appropriation made pursuant to this
3940 section. The department shall not reallocate an appropriation
3950 or allocation for the purpose of eliminating any program.

3960 Sec. 7. INTENT == REPORTS.

3970 1. The department in cooperation with townships, the Iowa
3980 cemetery associations, and other nonprofit or governmental
3990 entities may use inmate labor during the fiscal year beginning
4000 July 1, 2008, to restore or preserve rural cemeteries and
4010 historical landmarks. The department in cooperation with the
4020 counties may also use inmate labor to clean up roads, major
4030 water sources, and other water sources around the state.

4040 2. Each month the department shall provide a status report
4050 regarding private=sector employment to the legislative
4060 services agency beginning on July 1, 2008. The report shall
4070 include the number of offenders employed in the private
4080 sector, the combined number of hours worked by the offenders,
4090 and the total amount of allowances, and the distribution of
4100 allowances pursuant to section 904.702, including any moneys
4110 deposited in the general fund of the state.

4120 Sec. 8. ELECTRONIC MONITORING REPORT. The department of
4130 corrections shall submit a report on electronic monitoring to
4140 the general assembly, to the co=chairpersons and the ranking
4150 members of the joint appropriations subcommittee on the
4160 justice system, and to the legislative services agency by
4170 January 15, 2009. The report shall specifically address the
4180 number of persons being electronically monitored and break
4190 down the number of persons being electronically monitored by
4200 offense committed. The report shall also include a comparison

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4210 of any data from the prior fiscal year with the current year.

4220 Sec. 9. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.

4230 1. As used in this section, unless the context otherwise
4240 requires, "state agency" means the government of the state of
4250 Iowa, including but not limited to all executive branch
4260 departments, agencies, boards, bureaus, and commissions, the
4270 judicial branch, the general assembly and all legislative
4280 agencies, institutions within the purview of the state board
4290 of regents, and any corporation whose primary function is to
4300 act as an instrumentality of the state.

4310 2. State agencies are hereby encouraged to purchase
4320 products from Iowa state industries, as defined in section
4330 904.802, when purchases are required and the products are
4340 available from Iowa state industries. State agencies shall
4350 obtain bids from Iowa state industries for purchases of office
4360 furniture during the fiscal year beginning July 1, 2008,
4370 exceeding \$5,000 or in accordance with applicable
4380 administrative rules related to purchases for the agency.

4390 Sec. 10. STATE PUBLIC DEFENDER. There is appropriated
4400 from the general fund of the state to the office of the state
4410 public defender of the department of inspections and appeals
4420 for the fiscal year beginning July 1, 2008, and ending June
4430 30, 2009, the following amounts, or so much thereof as is
4440 necessary, to be allocated as follows for the purposes
4450 designated:

4460 1. For salaries, support, maintenance, miscellaneous
4470 purposes, and for not more than the following full-time
4480 equivalent positions:

4490 MARGINS F

4500 \$

4510 FTEs

4520 MARGINS L

4530 As a condition of receiving moneys under this subsection,
4540 the state public defender shall make recommendations about
4550 containing the costs incurred by the office of the state

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4560 public defender and court-appointed attorneys for providing
4570 legal representation of indigent persons. The state public
4580 defender shall report the recommendations to the
4590 co-chairpersons and ranking members of the joint
4600 appropriations subcommittee on the justice system and to the
4610 legislative services agency by December 15, 2008.

4620 2. For the fees of court-appointed attorneys for indigent
4630 adults and juveniles, in accordance with section 232.141 and
4640 chapter 815:

4650 MARGINS F

4660 \$

4670 MARGINS L

4680 Sec. 11. IOWA LAW ENFORCEMENT ACADEMY.

4690 1. There is appropriated from the general fund of the
4700 state to the Iowa law enforcement academy for the fiscal year
4710 beginning July 1, 2008, and ending June 30, 2009, the
4720 following amount, or so much thereof as is necessary, to be
4730 used for the purposes designated:

4740 For salaries, support, maintenance, miscellaneous purposes,
4750 including jailer training and technical assistance, and for
4760 not more than the following full-time equivalent positions:

4770 MARGINS F

4780 \$

4790 FTEs

4800 MARGINS L

4810 It is the intent of the general assembly that the Iowa law
4820 enforcement academy may provide training of state and local
4830 law enforcement personnel concerning the recognition of and
4840 response to persons with Alzheimer's disease.

4850 The Iowa law enforcement academy may temporarily exceed and
4860 draw more than the amount appropriated and incur a negative
4870 cash balance as long as there are receivables equal to or
4880 greater than the negative balance and the amount appropriated
4890 in this subsection is not exceeded at the close of the fiscal
4900 year.

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4910 2. The Iowa law enforcement academy may select at least
4920 five automobiles of the department of public safety, division
4930 of state patrol, prior to turning over the automobiles to the
4940 department of administrative services to be disposed of by
4950 public auction, and the Iowa law enforcement academy may
4960 exchange any automobile owned by the academy for each
4970 automobile selected if the selected automobile is used in
4980 training law enforcement officers at the academy. However,
4990 any automobile exchanged by the academy shall be substituted
5000 for the selected vehicle of the department of public safety
5010 and sold by public auction with the receipts being deposited
5020 in the depreciation fund to the credit of the department of
5030 public safety, division of state patrol.

5040 Sec. 12. BOARD OF PAROLE. There is appropriated from the
5050 general fund of the state to the board of parole for the
5060 fiscal year beginning July 1, 2008, and ending June 30, 2009,
5070 the following amount, or so much thereof as is necessary, to
5080 be used for the purposes designated:

5090 For salaries, support, maintenance, miscellaneous purposes,
5100 and for not more than the following full-time equivalent
5110 positions:

5120 MARGINS F

5130 \$

5140 FTEs

5150 MARGINS L

5160 Sec. 13. DEPARTMENT OF PUBLIC DEFENSE. There is
5170 appropriated from the general fund of the state to the
5180 department of public defense for the fiscal year beginning
5190 July 1, 2008, and ending June 30, 2009, the following amounts,
5200 or so much thereof as is necessary, to be used for the
5210 purposes designated:

5220 1. MILITARY DIVISION

5230 For salaries, support, maintenance, miscellaneous purposes,
5240 and for not more than the following full-time equivalent
5250 positions:

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5260 MARGINS F

5270 \$

5280 FTEs

5290 MARGINS L

5300 The military division may temporarily exceed and draw more
5310 than the amount appropriated and incur a negative cash balance
5320 as long as there are receivables of federal funds equal to or
5330 greater than the negative balance and the amount appropriated
5340 in this subsection is not exceeded at the close of the fiscal
5350 year.

5360 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION

5370 a. For salaries, support, maintenance, miscellaneous
5380 purposes, and for not more than the following full-time
5390 equivalent positions:

5400 MARGINS F

5410 \$

5420 FTEs

5430 MARGINS L

5440 b. For the Iowa civil air patrol:

5450 MARGINS F

5460 \$

5470 MARGINS L

5480 It is the intent of the general assembly that the homeland
5490 security and emergency management division work in conjunction
5500 with the department of public safety, to the extent possible,
5510 when gathering and analyzing information related to potential
5520 domestic or foreign security threats, and when monitoring such
5530 threats.

5540 Sec. 14. DEPARTMENT OF PUBLIC SAFETY. There is
5550 appropriated from the general fund of the state to the
5560 department of public safety for the fiscal year beginning July
5570 1, 2008, and ending June 30, 2009, the following amounts, or
5580 so much thereof as is necessary, to be used for the purposes
5590 designated:

5600 1. For the department's administrative functions,

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5610 including the criminal justice information system, and for not
5620 more than the following full-time equivalent positions:

5630 MARGINS F

5640 \$

5650 FTEs

5660 MARGINS L

5670 2. For the division of criminal investigation, including
5680 the state's contribution to the peace officers' retirement,
5690 accident, and disability system provided in chapter 97A in the
5700 amount of 17 percent of the salaries for which the funds are
5710 appropriated, to meet federal fund matching requirements, and
5720 for not more than the following full-time equivalent
5730 positions:

5740 MARGINS F

5750 \$

5760 FTEs

5770 MARGINS L

5780 The department of public safety, with the approval of the
5790 department of management, may employ no more than two special
5800 agents and four gaming enforcement officers for each
5810 additional riverboat or gambling structure regulated after
5820 July 1, 2008, and one special agent for each racing facility
5830 which becomes operational during the fiscal year which begins
5840 July 1, 2008. One additional gaming enforcement officer, up
5850 to a total of four per riverboat or gambling structure, may be
5860 employed for each riverboat or gambling structure that has
5870 extended operations to 24 hours and has not previously
5880 operated with a 24-hour schedule. Positions authorized in
5890 this paragraph are in addition to the full-time equivalent
5900 positions otherwise authorized in this subsection.

5910 3. For the criminalistics laboratory fund created in
5920 section 691.9:

5930 MARGINS F

5940 \$

5950 MARGINS L

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5960 4. a. For the division of narcotics enforcement,
5970 including the state's contribution to the peace officers'
5980 retirement, accident, and disability system provided in
5990 chapter 97A in the amount of 17 percent of the salaries for
6000 which the funds are appropriated, to meet federal fund
6010 matching requirements, and for not more than the following
6020 full-time equivalent positions:

6030 MARGINS F

6040 \$

6050 FTEs

6060 MARGINS L

6070 b. For the division of narcotics enforcement for
6080 undercover purchases:

6090 MARGINS F

6100 \$

6110 MARGINS L

6120 5. a. For the division of state fire marshal, including
6130 the state's contribution to the peace officers' retirement,
6140 accident, and disability system provided in chapter 97A in the
6150 amount of 17 percent of the salaries for which the funds are
6160 appropriated, and for not more than the following full-time
6170 equivalent positions:

6180 MARGINS F

6190 \$

6200 FTEs

6210 MARGINS L

6220 b. For the division of state fire marshal, for fire
6230 protection services as provided through the state fire service
6240 and emergency response council as created in the department,
6250 and for not more than the following full-time equivalent
6260 positions:

6270 MARGINS F

6280 \$

6290 FTEs

6300 MARGINS L

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6310 6. For the division of state patrol, for salaries,
6320 support, maintenance, workers' compensation costs, and
6330 miscellaneous purposes, including the state's contribution to
6340 the peace officers' retirement, accident, and disability
6350 system provided in chapter 97A in the amount of 17 percent of
6360 the salaries for which the funds are appropriated, and for not
6370 more than the following full-time equivalent positions:

6380 MARGINS F

6390 \$

6400 FTEs

6410 MARGINS L

6420 It is the intent of the general assembly that members of
6430 the state patrol be assigned to patrol the highways and roads
6440 in lieu of assignments for inspecting school buses for the
6450 school districts.

6460 7. For deposit in the sick leave benefits fund established
6470 under section 80.42 for all departmental employees eligible to
6480 receive benefits for accrued sick leave under the collective
6490 bargaining agreement:

6500 MARGINS F

6510 \$

6520 MARGINS L

6530 8. For costs associated with the training and equipment
6540 needs of volunteer fire fighters:

6550 MARGINS F

6560 \$

6570 MARGINS L

6580 Notwithstanding section 8.33, moneys appropriated in this
6590 subsection that remain unencumbered or unobligated at the
6600 close of the fiscal year shall not revert but shall remain
6610 available for expenditure only for the purpose designated in
6620 this subsection until the close of the succeeding fiscal year.

6630 Notwithstanding section 8.39, within the funds appropriated
6640 in this section the department of public safety may reallocate
6650 funds as necessary to best fulfill the needs provided for in

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6660 the appropriation. However, the department shall not
6670 reallocate an appropriation made to the department in this
6680 section unless notice of the reallocation is given to the
6690 legislative services agency and the department of management
6700 prior to the effective date of the reallocation. The notice
6710 shall include information about the rationale for reallocating
6720 the appropriation. The department shall not reallocate an
6730 appropriation made in this section for the purpose of
6740 eliminating any program.

6750 Sec. 15. CIVIL RIGHTS COMMISSION. There is appropriated
6760 from the general fund of the state to the Iowa state civil
6770 rights commission for the fiscal year beginning July 1, 2008,
6780 and ending June 30, 2009, the following amount, or so much
6790 thereof as is necessary, to be used for the purposes
6800 designated:

6810 For salaries, support, maintenance, miscellaneous purposes,
6820 and for not more than the following full-time equivalent
6830 positions:

6840 MARGINS F

6850 \$

6860 FTEs

6870 MARGINS L

6880 The Iowa state civil rights commission may enter into a
6890 contract with a nonprofit organization to provide legal
6900 assistance to resolve civil rights complaints.

6910 Sec. 16. HOMELAND SECURITY AND EMERGENCY MANAGEMENT
6920 DIVISION == E911. There is appropriated from the wireless
6930 E911 emergency communications fund in section 34A.7A to the
6940 homeland security and emergency management division of the
6950 department of public defense for the fiscal year beginning
6960 July 1, 2008, and ending June 30, 2009, the following amount,
6970 or so much thereof as is necessary, to be used for the
6980 purposes designated:

6990 For distribution on an equal basis to each public safety
7000 answering point for wireless E911 phase 2 upgrades and

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7010 equipment purchases:

7020 MARGINS F

7030 \$

7040 MARGINS L

7050 Each joint E911 service board shall report to the E911
7060 program manager the wireless E911 phase 2 upgrade and
7070 equipment expenditures for each public safety answering point
7080 within the board's E911 service area by December 15, 2008.
7090 The E911 program manager shall compile the reports from each
7100 joint E911 service board into one expenditure report and
7110 provide the expenditure report to the co-chairpersons and
7120 ranking members of the joint appropriations subcommittee on
7130 the justice system and the legislative services agency by
7140 January 15, 2009.

7150 Sec. 17. HOMELAND SECURITY AND EMERGENCY MANAGEMENT
7160 DIVISION. There is appropriated from the wireless E911
7170 emergency communications fund created in section 34A.7A to the
7180 administrator of the homeland security and emergency
7190 management division of the department of public defense for
7200 the fiscal year beginning July 1, 2008, and ending June 30,
7210 2009, an amount not exceeding \$200,000 to be used for
7220 implementation, support, and maintenance of the functions of
7230 the administrator and program manager under chapter 34A and to
7240 employ the auditor of the state to perform an annual audit of
7250 the wireless E911 emergency communications fund.

7260 Sec. 18. IOWA LAW ENFORCEMENT ACADEMY == FEES.
7270 Notwithstanding section 80B.11B, the Iowa law enforcement
7280 academy may charge more than one-half the cost of providing
7290 the basic training course if a majority of the Iowa law
7300 enforcement academy council authorizes charging more than one=
7310 half of the cost of providing basic training. This section is
7320 repealed on June 30, 2009.

7330 MARGINS C

7340

EXPLANATION

7350 MARGINS L

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7360 This bill makes appropriations from the general fund of the
7370 state for fiscal year 2008=2009 to the departments of justice,
7380 corrections, public defense, and public safety, and the Iowa
7390 law enforcement academy, office of consumer advocate, office
7400 of the state public defender, board of parole, and Iowa state
7410 civil rights commission.

7420 The bill appropriates moneys from the wireless E911
7430 emergency communications fund to the homeland security and
7440 emergency management division for distribution on an equal
7450 basis to each public safety answering point for wireless E911
7460 phase 2 upgrades and expenditures. The bill also requires a
7470 joint E911 service board to report public safety answering
7480 point expenditures to the E911 program manager and the E911
7490 program manager shall compile the expenditure reports into one
7500 expenditure report and submit the report to the appropriate
7510 legislative committees.

7520 The bill also appropriates moneys, not to exceed \$200,000,
7530 from the wireless E911 emergency communications fund to the
7540 homeland security and emergency management division for
7550 implementation, support, and maintenance of the functions of
7560 the administrator and program manager of the E911 emergency
7570 system.

7580 The bill addresses Code section 80B.11B to provide that for
7590 FY 2008=2009 the Iowa law enforcement academy may charge a
7600 department of the state, a member of a police force, or any
7610 political subdivision of the state more than one-half of the
7620 cost to provide the basic training course for a law
7630 enforcement officer, provided a majority of the Iowa law
7640 enforcement council approves such a charge. Current law
7650 prohibits the Iowa law enforcement academy from charging more
7660 than one-half of the cost of providing the basic training
7670 course.

7680 The bill provides that the department of corrections may
7690 reallocate appropriated funds between the institutions of the
7700 department of corrections, the department's administration,

LIBRARY 8 (Trina)

7710 and the judicial district departments of correctional
7720 services. The bill provides the department, prior to the
7730 effective date of any reallocation, must provide notice to the
7740 department of management, the legislative services agency, and
7750 the district board of any judicial district department of
7760 correctional services affected by the reallocation.

7770 The bill provides that the department of public safety may
7780 also reallocate the funds appropriated to the department
7790 between the divisions of the department. The bill provides
7800 that the department, prior to the effective date of any
7810 reallocation, must provide notice of the reallocation to the
7820 department of management and the legislative services agency.

7830 MARGINS F F

7840 LSB 5007JA 82

7850 jm/mg/8

LIBRARY 24 (Chris)

10 MARGINS F

20

SENATE/HOUSE FILE _____

30

BY (PROPOSED JOINT APPROPRIATIONS

40

SUBCOMMITTEE ON JUSTICE

50

SYSTEM BILL)

60

70

80 Passed Senate, Date _____ Passed House, Date _____

90 Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

100 Approved _____

110

120

A BILL FOR

130

140 MARGINS L

150 An Act relating to and making appropriations to the judicial
160 branch.

170 MARGINS F

180 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

190 MARGINS F F

200 TLSB 5006JA 82

210 jm/mg/8

LIBRARY 24 (Chris)

10 MARGINS L

20 Section 1. JUDICIAL BRANCH.

30 1. There is appropriated from the general fund of the
40 state to the judicial branch for the fiscal year beginning
50 July 1, 2008, and ending June 30, 2009, the following amount,
60 or so much thereof as is necessary, to be used for the
70 purposes designated:

80 For salaries of supreme court justices, appellate court
90 judges, district court judges, district associate judges,
100 judicial magistrates and staff, state court administrator,
110 clerk of the supreme court, district court administrators,
120 clerks of the district court, juvenile court officers, board
130 of law examiners and board of examiners of shorthand reporters
140 and judicial qualifications commission; receipt and
150 disbursement of child support payments; reimbursement of the
160 auditor of state for expenses incurred in completing audits of
170 the offices of the clerks of the district court during the
180 fiscal year beginning July 1, 2008; and maintenance,
190 equipment, and miscellaneous purposes:

200 MARGINS F

210 \$

220 MARGINS L

230 Of the amount appropriated in this subsection, \$ _____
240 shall be used to implement the children's justice initiative.
250 The following court employees are authorized for
260 implementation of the children's justice initiative: two
270 court reporters, one and one-half full-time equivalent court
280 attendants, four juvenile court officers, and two juvenile
290 court technicians. Notwithstanding the district associate
300 judgeship apportionment formula in section 602.6301, two
310 additional district associate judgeships are authorized for
320 implementation of the initiative, with one district associate
330 judgeship allocated to the fourth judicial district and one
340 district associate judgeship allocated to election district 5B
350 of the fifth judicial district.

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710 recommendations, if any, as to changes in judgeship and
720 magistrate apportionment formulas in sections 602.6201,
730 602.6301, and 602.6401. The judicial branch shall file a
740 report regarding the study made, recommendations presented,
750 and actions taken pursuant to this subsection with the
760 co-chairpersons and ranking members of the joint
770 appropriations subcommittee on the justice system and to the
780 legislative services agency by January 1, 2009.

790 7. In addition to the requirements for transfers under
800 section 8.39, the judicial branch shall not change the
810 appropriations from the amounts appropriated to the judicial
820 branch in this Act, unless notice of the revisions is given
830 prior to their effective date to the legislative services
840 agency. The notice shall include information on the branch's
850 rationale for making the changes and details concerning the
860 workload and performance measures upon which the changes are
870 based.

880 8. The judicial branch shall submit a semiannual update to
890 the legislative services agency specifying the amounts of
900 fines, surcharges, and court costs collected using the Iowa
910 court information system since the last report. The judicial
920 branch shall continue to facilitate the sharing of vital
930 sentencing and other information with other state departments
940 and governmental agencies involved in the criminal justice
950 system through the Iowa court information system.

960 9. The judicial branch shall provide a report to the
970 general assembly by January 1, 2009, concerning the amounts
980 received and expended from the enhanced court collections fund
990 created in section 602.1304 and the court technology and
1000 modernization fund created in section 602.8108, subsection 7,
1010 during the fiscal year beginning July 1, 2007, and ending June
1020 30, 2008, and the plans for expenditures from each fund during
1030 the fiscal year beginning July 1, 2008, and ending June 30,
1040 2009. A copy of the report shall be provided to the
1050 legislative services agency.

1060 Sec. 2. JUDICIAL RETIREMENT FUND.

1070 1. There is appropriated from the general fund of the
1080 state to the judicial retirement fund for the fiscal year
1090 beginning July 1, 2008, and ending June 30, 2009, the
1100 following amount, or so much thereof as is necessary, to be
1110 used for the purpose designated:

1120 Notwithstanding section 602.9104, for the state's
1130 contribution to the judicial retirement fund in the amount of
1140 ____ percent of the basic salaries of the judges covered under
1150 chapter 602, article 9:

1160 MARGINS F

1170 \$

1180 MARGINS L

1190 2. There is appropriated from the revolving fund created
1200 in section 602.1302 to the judicial retirement fund for the
1210 fiscal year beginning July 1, 2008, and ending June 30, 2009,
1220 the following amount, or so much thereof as is necessary, to
1230 be used for the purposes designated:

1240 As part of the state's contribution to the judicial
1250 retirement fund in accordance with the conditions specified in
1260 subsection 1:

1270 MARGINS F

1280 \$

1290 MARGINS L

1300 Sec. 3. POSTING OF REPORTS IN ELECTRONIC FORMAT ==
1310 LEGISLATIVE SERVICES AGENCY. All reports or copies of reports
1320 required to be provided by the judicial branch for fiscal year
1330 2008=2009 to the legislative services agency shall be provided
1340 in an electronic format. The legislative services agency
1350 shall post the reports on its internet website and shall
1360 notify by electronic means all the members of the joint
1370 appropriations subcommittee on the justice system when a
1380 report is posted. Upon request, copies of the reports may be
1390 mailed to members of the joint appropriations subcommittee on
1400 the justice system.

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1410 MARGINS C

1420

EXPLANATION

1430 MARGINS L

1440 This bill makes appropriations for FY 2008=2009 to the
1450 judicial branch.

1460 The bill makes an appropriation from the general fund of
1470 the state and the jury and witness fees revolving fund created
1480 in Code section 602.1302 to the judicial retirement fund.

1490 The bill authorizes additional court employees and judicial
1500 officers for the children's justice initiative.

1510 MARGINS F F

1520 LSB 5006JA 82

1530 jm/mg/8

APPENDIX K

Justice System Appropriations

Subcommittee Contact List

Justice System Appropriations Subcommittee Contact List

Judicial Branch		
Chief Justice	Marsha Ternus	1-3952
State Court Administrator	David Boyd	1-8280
Legislative Liaison	Bert Aunan	725-8022
Director - Finance and Personnel	Peggy Sullivan	242-0171
Fiscal Notes	John Goerdts	242-0193
Fax 2-0014	Fax	2-0197
Fax 1-3043		

Parole Board		
Executive Director	Clarence Key	5-5752
Board Chair	Elizabeth Robinson	5-5750
Vice Chair	Karen Muelhaupt	5-5700
Hearing Officer	Jim Twedt	5-5775

Attorney General		
Attorney General	Tom Miller	1-8373
Chief of Staff	Eric Tabor	1-5191
Budgets	Karen Redmond	1-6362
Legislative Liaison	Julie Muckler	2-6773
Victim Programs Fax 1-8199	Marti Anderson	2-6109

Corrections		
Director	John Baldwin	5-5708
Deputy Director - Administration	Brad Hier	5-5703
Director's Secretary	Terry Boehlje	5-5708
Policy and Legal/Liaison	Michael Savala	5-5715
Public & Media Relations Director	Fred Scaletta	5-5707
Director of Research	Lettie Prell	5-5718
	Fax	5-5798

Iowa Law Enforcement Academy (ILEA)		
Director	Penny Westfall	242-5214
Budget and Finance Officer	Roger Sitterly	2-5472

Criminal and Juvenile Justice Planning Division (CJJP)		
Division Administrator	Paul Stageberg	242-6122
Policy	Phyllis Blood	1-5942
	Fax	2-6119

Iowa Communications Network (ICN)		
Director	John Gillispie	725-4707
Governmental Affairs	Tami Fujinaka	725-4658
Legislative Liaison	Mark Johnson	1-4742

Department of Public Defense		
Liaison - Military	Col. Vince Reefer	252-4786
Budget - Military	Duane Jamison	252-4222
	Paula Hutton	252-4346
Emergency Mgt Div. - Director	David L. Miller	725-3231
Emergency Mgt Div. - Liaison/E911	John Benson	725-3208

Public Defender		
State Public Defender	Tom Becker	1-5518
Budget - Public Defender	Sarah Rapp	1-3407
Budget - Indigent Defense Fund	Heather Lindsay	1-3467
State Appellate Defender/Liaison	Mark Smith	2-6513
	Fax	1-7289

Department of Public Safety		
Commissioner	Gene Meyer	725-6180
Legislative Liaison	Ross Loder	5-6188
Budget	Dave Heuton	5-6251
Budget	Martin Deaton	5-6252
	Fax	5-6195

Civil Rights Commission		
Director	Ralph Rosenberg	2-6537

Department of Management		
Corrections, Public Defender, ILEA, DPS		
Courts, BOP, AG	Dennis Hart	1-8048
Civil Rights Commission & Public Def.	Lee Hill	1-0113

Caucus Staff		
Senate Republican	Tom Ashworth	1-6685
Senate Democratic	Cathy Engel	1-8688
House Republican	Lon Anderson	1-5184
House Democratic	Tom Patterson	1-5159

Legislative Services Agency, Legal Services Division		
Justice Approp.	Joe McEniry	1-3189
	Rachelle Hjelamas	1-8127

Legislative Services Agency, Fiscal Services Division		
Courts, DPS, ILEA, Public Def., ICN	Jennifer Acton	1-7846
DOC, AG, BOP, Pub. Defender, Civil Rts.	Beth Lenstra	1-6301
	Fax	1-6625

APPENDIX L

Iowa Judicial Districts

Iowa Judicial Districts

